EDITOR'S LETTER

In the period leading up to and following the U.S. presidential election, Americans are reminded of the promises and potential of democracy. But the attention garnered by the Nov. 4 elections places emphasis not only on the candidates but also the processes and lessons of democracy in general. Although the notion of democracy is not new by any means, it still merits research and inquiry, with particular attention paid to global democratic transitions, public participation in the political process and the future of democracy in the global arena. Accordingly, this issue of *Perspectives on Global Issues* is focused on democracy. With the spirit of Alexis de Tocqueville in mind, we invited contributors to explore the concept of democracy from many different angles.

One aspect of the recent U.S. election that received a lot of attention was the unprecedented involvement of youth. This prompted the editors to explore not only youth participation as candidate supporters, but also youth that are active in politics. This issue opens with an article by PGI editor Tamar Kherlopian, who interviewed John Wilson, a 25-year-old candidate for state representative in Kansas. Although he was ultimately unable to overcome his seven-term incumbent opponent, this interview gives insights into the opportunities for young people involved in the political system, as well as providing a perspective on the future of politics in the U.S.

The concept of democracy is further explored through articles focusing on the Democratic Peace Theory and the role of the press in building democracy in Africa. Ethan Cramer-Flood, in "Good Theory, Bad Policy: A Study of the Democratic Peace Theory and its Implications for the War on Terror," examines in depth the idea of the Democratic Peace, and analyzes if and how it fits with 21st-century challenges such as international terrorism. And in her piece "African Journalists Struggle to Find their Role in Building Democracies," Professor Barbara Borst takes a first-hand look at the experiences of journalists in Zimbabwe, Kenya and South Africa, sharing their reflections on reporting on the political turmoil in their countries as well as their ideas about the role of journalism in building democracy.

The focus of the issue then turns to an exploration of the meaning and practice of democracy in specific nations. In "Throne Becomes Seat of the People: From Hindu Kingdom to Federal Republic," PGI editor Dan Logue interviews Rabin Subedi, a human rights lawyer from Nepal, about the recent political upheaval in his country. In "Morocco: Challenges to Democracy," Will Hogan proposes democratic reform in the kingdom modeled on Spain's parliamentary monarchy. Next, Mikelle Adgate, Scot Dalton and Betsy Fuller Matambanadzo, in "The KwaZulu-Natal Slums Bill: An Illustration of an Institutional Shift in Democracy," examine the inner workings of provincial government in South Africa and question the extent to which democracy has taken hold at this level of

South African politics. And Dr. Robert Rockaway, in "Israel's Democracy: Where To?," looks at the current state of the political system in Israel.

We conclude with three book reviews that offer insights on the popular political discourse in the run-up to the U.S. presidential election. Christiaan Mitchell reviews former senator and current University of Oklahoma President David Boren's "A Letter to America," which asks the American people to reexamine the nation's past and rediscover the ideals that the U.S. was built on in order to guide us in the future. Henry Kwong's review of "The Powers to Lead" by Joseph Nye, the father of the theory of "soft power," looks at Mr. Nye's recommendations for the prudent use of both hard and soft power by today's world leaders. Finally, Justyna Surowiec reviews “Memo to the President Elect: How We Can Restore America’s Reputation and Leadership,” by former Secretary of State Madeleine Albright, which discusses ways for the new president to mend the U.S.'s image abroad after eight years of foreign policy blunders by the Bush administration.

The editorial board of *Perspectives on Global Issues* would like to thank the contributing authors for their insights on democratic theory and practice in the U.S. and around the world. We hope this issue ignites a spirited debate about an intriguing and often controversial topic.

Thank you,

*Kristy Crabtree*
*Jennifer Dunham*
*Lori Sims*
*Adair Fincher*
*Brianna Lee*
*Florence Au*
*Tamar Kherlopian*
*Dan Logue*
*Michal Toiba*
*Jhelum Bagchi*
*Karen Duncan*

**PERSPECTIVES ON YOUTH AND DEMOCRACY: JOHN WILSON, KANSAN WITH CANDOR**

Tamar Kherlopian

Dedicated to his community, John Wilson considers electoral office to be a "national extension of public service", hence, a natural progressive step for this committed public servant. With optimism and forthrightness, at the young age of 25, Wilson is boldly running for State Representative of Kansas against Tom Sloane, a fourteen year incumbent. A native of the Midwest, John spent most of his childhood in Lawton, Oklahoma and later attended the University of Kansas in Lawrence, Kansas where he presently resides. Despite his young age, John has worked for numerous reputable organizations and programs such as the Harvard National Campaign for Civic and Political Engagement, the Center for Community Outreach at the University of Kansas, and the Alliance for a Healthier Generation (a partnership between the William J. Clinton Foundation and the American Heart Association).

An advocate for clean energy, John was motivated to run for office by his dismay at Lawrence's currently coal-dominated energy plan and apparent need for health care and education reform. The personable young professional sought to craft a comprehensive, sustainable energy policy and improved education and health care programs in order to address, as opposed to inherit these issues in the future. "We are facing problems right now in this state that not only immediately impact us…they also have the potential to impact people my age and younger. Why sit around and wait to inherit those problems when we can do something more preventative?". The political hopeful does not think that his "age is an issue", but rather, sees his youth "as an advantage". Since individuals, not special interest groups fund his campaign, he is "willing to listen to all stakeholders" instead of focusing on the needs of only certain groups, which pigeon-holes some senior campaigners. Wilson also recognizes that his age affords him the energy to walk door-to-door to listen to constituents' concerns in person.

Although he agrees that American youth today are sufficiently involved in political and social affairs, John admits that there is still room for further involvement. His work at the Alliance proved to him that young people are passionate about community service. The Internet and technology, the Kansan believes, have "allowed youth to learn more and become more deeply involved in both domestic and international causes…since online marketing trends appeal to young people". Wilson credits technological advancements with "increasing communication as well as creating new ways to introduce ideas". The forthcoming "silver tsunami" (impending rush of retiring baby boomers), John foresees, will create many opportunities for youth involvement. Through national programs that would grant loan forgiveness to youth in exchange for their service in Peacecorps, Americorps, the Army, and other such service-oriented organizations, public service can be encouraged, thereby filling the gaps that the baby boomers will leave behind, according to Wilson.

Concerning the issue of voting, John believes that more can be done to make voting more accessible to accommodate people who hold hourly paid jobs, as well as to encourage communities to vote more broadly. He attributes voter apathy to "cynicism about the political process and system, worries about 'big money', and distrust in media outlets". Election reform, but more importantly, "early education for civic engagement through increased funding for special programs" can reduce voter apathy, in Wilson's opinion.

With regards to current issues such as the recent financial bailout in the United States, the U.S.-led military presence in Iraq, and renewable energy, the candidate offered his frank insight. Wilson maintains that the government has to somewhat regulate the financial sector given the "interconnectivity of the public and private sectors". A proponent of wind development and other such diversified energy sources in Kansas, Wilson envisions developments such as solar energy in the Southwest part of the country. The political novice fully supports an open, honest, and serious debate regarding energy issues and the aggressive development of renewable energy plans, including the implementation of building standards and codes. He points not only to the need for reform of national energy and climate change policies, but also the need for improvement of the image of the United States abroad. In reference to the invasion/liberalization debate concerning the United States' involvement in Iraq, Wilson reveals that the issue is a particularly personal one for him since his brother and cousins served in Iraq and because he grew up in a military community. "I would like to believe that there was faulty intelligence from the start. I am an optimist and choose not to believe this was done with malicious intent". Nevertheless, the Midwesterner attests that an unnecessary amount of money has been invested and "too many lives have been lost". He also contends that the United States' "extent of involvement has not done good for our image in Middle Eastern countries".

Though "our recent foreign policy has tarnished", it can be mended, according to Wilson. The candidate has strong faith in a vital principle of democracy, individuals having the right to choose their leaders. Nonetheless, "the spread of democracy should not be done by force, rather, through leadership by example". Insofar as how America is viewed in the world today, Wilson makes a distinction between the American government and businesses and the average American citizen and community groups. Portraying Americans' charity, John explains, "the tsunami and other humanitarian disasters have shown the compassion and willingness of the American people to give their resources, and this aspect of America doesn't get heard enough".

As far as his future, the young politician is forward-looking and ambitious. In ten years, he envisions himself continuing to work in the service of communities or people in some way. Wilson recognizes that his ability to connect with people and understand their perspectives is of value in such work. Self-declaringly "impatient about" his "desires and ideas", this energetic activist's

refreshing zeal for service and undaunted attempt to claim a seat in Topeka despite his young age and seasoned opponent should be applauded. In a country that is seemingly experiencing a surge of political interest amongst its youth, John Wilson's candidacy represents young people who are not only committed to their ideas, but motivated to turn their ideas into action.

# GOOD THEORY, BAD POLICY: A STUDY OF THE DEMOCRATIC PEACE THEORY AND ITS IMPLICATIONS FOR THE WAR ON TERROR

Ethan Cramer-Flood

Arguably the most fashionable contemporary debate in the endless dialectic between liberalism and realism revolves around the Democratic Peace Theory. Liberals believe they have found the Holy Grail to disprove realist determinism, and for once realists have been thrust on the defensive. Liberals believe they have solved the security problem and proven that conflict is not inevitable. Realists say the theory is wishful thinking based on fudged statistics and unsound social science. The game has been afoot at the highest level of international relations scholarship ever since Michael Doyle rediscovered Immanuel Kant in 1983 and noticed the philosopher may have been right.[1] As democracy has spread since the end of the Cold War, liberals believe their theory is gaining strength; meanwhile, realists poke holes in the historical data and scoff at perceived liberal naiveté.

Jack Levy's famous assertion encapsulates the idea behind Democratic Peace Theory as well as any written, which is perhaps why it is referenced so often: "The absence of war between democracies comes as close to anything we have to an empirical law in international relations."[2] Some liberals believe that no true democracies have ever gone to war with each other, whereas others qualify the event as 'rare'—either way, the theory represents the ultimate attack on realist anarchy. If the concept of the democratic peace holds, then it proves that an organizing principle for the international system is possible. It shows that the Hobbesian state of nature is manageable without the use of force. It also shows that the internal character of a state matters with regard to foreign policy decisions and international behavior. All of this is anathema to realists.

This paper is divided into three parts. First, it will examine the liberal and realist assessments of the consequences of democratization on international relations, and survey the academic side of the debate. Second, it will explore the most fascinating addition to the empirical evidence in the last few years: the violently aggressive nature of emerging democracies. Mature, liberal democracies may never fight other liberal democracies, but societies in transition to democracy not only will fight established democracies, they will fight anyone else as well, and will do so more often than any other form of government. Edward Mansfield and Jack Snyder are at the forefront of this scholarship, and this paper will explore their joint contribution, which could have profound ramifications for U.S. policy. Finally, the paper will look at the most salient form of violence currently plaguing the world—terrorism—and see what, if anything, a democratic peace would contribute to this problem. If the most dangerous threat in the 21st

[1] Doyle, Michael W. "Kant, Liberal Legacies, and Foreign Affairs." *Philosophy and Public Affairs*. Vol. 12, No. 3. Summer 1983. pp. 205-235.
[2] Levy, Jack. "Domestic Politics and War." In *The Origin and Prevention of Major Wars*. Robert Rotberg and Theodore Rabb, eds. Cambridge University Press, 1989.

century will come from non-state actors, should Democratic Peace Theory (hereafter DPT) still be a guiding foreign policy principle under the administration of new U.S. President Barack Obama? What, if any, impact does democratization a have on a country's likelihood of producing a terrorist threat?

**The Peace**

Immanuel Kant hypothesized in his legendary 1795 essay *Perpetual Peace* that a world comprised of constitutional republics was one of several conditions necessary for creating a perpetual peace.[3] He believed that the majority of people in any given country would never vote to go to war other than in self defense, because war is a painful and costly exercise for the public at large that at best only benefits elites. Thus, in a world of democracies, war would cease for lack of aggressors.

Kant believed that the rule of law provided an opportunity for the flourishing of the human mind, morality and individual freedom.[4] Yet the same system that provided this opportunity for governance and civility—the emergence of sovereign states—resulted in a structure capable of amassing great military power. These states, to Kant's dismay, were using this power to "launch wars of barbaric devastation that were horrifyingly antithetical to civilized ideals."[5] The territorial state model that provided the potential for an enlightened social life was equally responsible for unheard-of brutality internationally, and Kant realized that with no system for lawful, peaceful relations between states the rule of nature would prevail.[6] In this way at least, he was a realist. Thus he developed his vision of the democratic peace to address these flaws.

At the time, his theory was beyond testing, but the expansion of democracy in the late 20th century and into the 21st has provided much stronger evidence that Kant was on to something. Liberal democracies have increased their numbers by leaps and bounds, and they are not fighting one another. Thus liberal international relations thinkers have picked up and refined Kant's theory. With the end of the Cold War, it was possible to craft U.S. foreign policy around the concept. President Bill Clinton embraced the theory in his rhetoric, and President George W. Bush and his neo-conservatives took the idea into the quagmire of Iraq—to the chagrin of the realists who used to dominate Republican Party thought.

Bruce Russett, a leading Democratic Peace theorist, stated in 1993 that in an international system comprising a critical mass of democratic states, "it may

[3] Kant, Immanuel. *Perpetual Peace, and Other Essays on Politics, History, and Morals*. Hackett Publishing Company, 1983. Kant also required a market economy aimed at improving the well-being of citizens and an expansionary 'pacific union' of republics.
[4] Solomon, Benjamin. "Kant's Perpetual Peace: A New Look at this Centuries-Old Quest." *The Online Journal of Peace and Conflict Resolution,* 5.1, Summer 2003: pp. 106-126.
[5] Ibid.
[6] Ibid.

be possible in part to supersede the realist principles…that have dominated practice to the exclusion of liberal or idealist ones since at least the 17th century."[7] Two years later, he raised the stakes by claiming, "The theoretical edifice of realism will collapse if attributes of states' political systems are shown to have major influence on which states do or do not fight each other."[8] Thus the gauntlet was thrown down. A dizzying array of statistical analyses were published examining the history of warfare and military encounters from every possible angle over the last 3,000 years—and almost all found that DPT withstood rigorous testing.[9] A series of empirical and theoretical examinations by the likes of Michael Doyle, Rudolph Rummel, Spencer Weart and Russett himself produced a growing body of evidence in support of the theory and of liberal attacks on realism.[10] These thinkers argued that the spread of democracy did in fact make the elimination of war possible.[11]

Realists disagree with this conclusion, of course. Their critique is based on the inherent belief that internal processes and political structures within states play no discernable role in shaping international behavior on matters of war and peace.[12] Realists repeatedly cite several major arguments against the empirical validity of the democratic peace. A close reading of realists like Kenneth Waltz and Christopher Layne produces three main themes:

1. DPT theorists cannot account for a number of serious crises that have occurred between major, established, mature democracies throughout history that ended in near misses—but could just as easily have been war had not circumstances intervened.
2. The number of wars between democracies is not as rare as Democratic Peace theorists assert, and is certainly higher than 'never,' because DPT historians engage in creative tinkering with definitions so as to disqualify warring states that could otherwise be considered democracies.
3. Wars are rare, and throughout human history democracies have been extremely rare, thus statistical chance would predict the number of wars between democracies would be low. Thus the theory currently cannot be proven because it is too new and the evidence is too sparse.[13]

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[7] Russett, Bruce. "Can A Democratic Peace Be Built?" *International Interactions*. Vol. 18, No. 3. 1993. pp. 277-282.
[8] Russett, Bruce, et al. "The Democratic Peace." *International Security.* Vol. 19, No. 4. Spring 1995. pp. 164-184.
[9] For a particularly robust and comprehensive recounting of every military encounter in history involving any state or entity that could possibly have been considered remotely democratic, see Weart, Spencer. *Never At War: Why Democracies Will Not Fight One Another*. New Haven: Yale University Press. 1998.
[10] According to Rummel in *Power Kills: Democracy as a Method of Nonviolence* (1997): of 353 pairings of nations fighting in major international wars between 1816 and 1991, none occurred between democracies. However, 155 of those wars did include a democracy on one side.
[11] Solomon, Op. cit.
[12] Maoz, Zeev. "The Controversy Over the Democratic Peace: Rearguard Action or Cracks in the Wall?" *International Security.* Vol. 22, No. 1. Summer 1997. pp. 162-198.
[13] Layne, Christopher. "Kant or Cant: The Myth of the Democratic Peace." *International Security*. Vol. 19, No. 2. Autumn 1994. pp. 5-49; Waltz, Kenneth. "Structural Realism after the Cold War." in *America Unrivaled: The Future of the Balance of Power*. John Ikenberry, ed. Cornell University Press. 2002.

According to Waltz, Kant believed that liberal democracies are peaceful toward each other, but "[Kant's] definition of a republic was so restrictive that it was hard to believe even one of them could come into existence, let alone two or more."[14] Waltz also claims that democracies stop being the "right sort of democracies" for liberal theorists as soon as they go to war. He cites the much-maligned Weimar Republic, which was considered a model democracy by the European powers until it launched World War I, when it was reclassified as authoritarian.[15] In the eyes of realists, DPT believers see democracies as less and less liberal when they prepare for war, and less liberal still if they engage in combat. Thus, the theory is irrefutable because any warring state no longer qualifies as a true democracy.[16]

However, regardless of definitional trickery in some cases, the vast majority of data relies on clear-cut examples. Waltz invokes David Hume in his argument against the array of statistical evidence aligned against him: "We have no reason to believe that the association of events provides a basis for inferring the presence of a causal relation."[17] To realists, it is not democracy that causes peace, but other conditions that cause both democracy and peace together (for instance, that old realist standby—power).

If Democratic Peace theorists fudge the data to support their argument, realists are no less guilty of doing the same in their counter arguments. A common tactic among realists is to mention Finland in World War II, a mature democracy that sided with the Nazis and declared war on the Allies. But it is problematic to count Finland as a case against DPT, because there was not a single combat casualty between Finland and any democracy throughout the entire war. Finland merely wanted to fight the Soviet Union in an attempt to reclaim lost territory, and the war declarations were a formality. Yet some realist empirical surveys have counted Finland in World War II as 17 separate examples of a democracy going to war against another democracy.[18]

On the other side, realists like to mention the U.S. overturning democratically elected governments in both the Dominican Republic and Chile—non-military engagements that liberal studies would never include. Though shots were not fired, realists claim with some validity that these examples prove democracies are capable of aggressive behavior toward one another.[19] Thus the argument goes around and around.

[14] Waltz. Op. cit.
[15] Ibid.
[16] Ibid.
[17] Ibid.
[18] Russett, et al, Op. cit.
[19] Waltz, Op. cit.

**Democracies in Transition**

A long-accepted caveat in the Democratic Peace Theory is that although democracies do not fight each other, they are more than willing to go to war with non-democracies. In fact, they are statistically just as likely to go to war as any type of authoritarian regime. However, new information about the surprisingly violent tendencies of new, transitional, 'immature' democracies has reframed the foreign policy debate over the meaning of DPT. The alarming statistics on the war-like nature of transitional democracies throws into stark relief the Kantian requirement that democracies be definable as "liberal" in order to qualify as good for the peace.

Mansfield and Snyder have been tracking this phenomenon for over a decade, and recently published "Electing to Fight: Why Emerging Democracies Go to War," a book that encapsulates all their accumulated data and theories. They do not challenge the basic tenets of DPT; in fact, they acknowledge immediately that no mature democracies have ever gone to war with each other, but they strenuously challenge the interpretation of DPT that led to the Bush administration's goal of spreading democracy. They find that emerging democracies with weak political institutions are in fact the most bellicose form of government.[20] As a nation transitions from authoritarianism to republicanism, leaders of emerging parties find it easiest to rally support and consolidate power by invoking nationalist rhetoric and stirring up regional hatreds. This rhetoric often turns belligerent, and the path to war sometimes becomes inevitable.

States that make the widest transition, from repressive regime to complete mass democracy, are about twice as likely to fight wars in the first decade after the change than similar states that remain authoritarian.[21] Even worse, states that begin the transition to democracy but stall along the way find themselves between four and fifteen times more likely to experience internal or external war.[22] The culprit in all cases is weak institutions—absence of the rule of law, an independent judiciary, a free press or civilian control of the military—that leave little mechanism for accountability. The findings show that incomplete democratizing states—those that develop democratic institutions in the wrong order—are unlikely to ever complete the transition to democracy. These states then become the most dangerous of all, as politicians have incentives to pursue bellicose policies. Leaders in these stillborn democracies become popular by making demands of nearby rivals or encouraging repression of disliked minority groups, and they are shielded from the impact of bad policy decisions: if they push for war and it goes badly, they can always declare martial law, suspend elections and freedom of the press, and use the emergency as an excuse to reconsolidate power.[23]

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[20] Mansfield, Edward and Jack Snyder. *Electing to Fight: Why Emerging Democracies Go to War.* MIT Press, 2005.
[21] Ibid.
[22] Ibid.
[23] Owen, John. "Iraq and the Democratic Peace." *Foreign Affairs*. November/December 2005.

The U.S. has provided assistance, support and advice to emerging democracies around the world, and has pressured undemocratic regimes to reform through diplomacy, sanctions and military force. But according to Mansfield and Snyder, the strategy should focus on institution-building in these states, so the proper infrastructure can be in place before mass political participation and elections lead to the statistical dangers they have uncovered. Mansfield and Snyder compare democracy promotion in nuclear countries such as Russia and China to "spinning a roulette wheel."[24] Only a policy of nurturing strong institutions capable of channeling conflict resolution into non-violent political processes—and protecting the rights of minorities—can prevent the dangers associated with initial transitional periods. Even states that develop institutions properly turn out to be very aggressive in the early years, but less so than other transitional governments—and they are more likely to grow into mature and stable democracies in the long run.[25]

So what are the implications of these conclusions for the realist/liberal debate on Democratic Peace Theory? Realism is currently enjoying a revival thanks to the debacle in Iraq, as most realist scholars and politicos opposed the war. They saw the quest for democratization as a fool's errand, and they preferred the traditional use of power politics to deal with Saddam Hussein: deterrence and the threat of annihilation.[26] But Snyder and Mansfield's results do not lie squarely in support of one side or the other. The violence of transitional democracies makes DPT that much less parsimonious by adding further qualifications, but it also comes to conclusions inconsistent with realism's basic tenets: if transitional democracies are more likely to go to war, that means that their internal structure determines their external behavior. Most likely, all sides of the debate will use this new information to support their normative goals. For liberals, it's simply a strategy document guiding the way to a safer approach to supporting the growth of democracies.

## Terrorism

If Democratic Peace Theory is the long awaited answer to the scourge of state-to-state warfare, what can it do for the problem of non-state actor (NSA) violence? In the 21st century, violence perpetrated on the international stage has less to do with official state actions and more to do with independent terrorist organizations (or nationalist rebels dubbed "terrorists" for political purposes). Al Qaeda, Kashmiri separatists, the Tamil Tigers in Sri Lanka, the Sudanese Janjaweed militias, Chechen rebels, Sunni insurgents in Iraq, Hezbollah and Hamas are just some of the terrorist groups and NSAs that are the focus of international military efforts. Is DPT out of date already, or can it be of help in this regard? Or are the policy ramifications of DPT a hindrance to fighting terrorism?

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[24] Mansfield, Edward and Jack Snyder. "Democratization and War." *Foreign Affairs.* May/June 1995.
[25] Mansfield and Snyder. *Electing to Fight.* Op. cit.
[26] Owen. Op. cit.

Theoretical explorations of terrorism and its relationship to the democratic peace are scarce. A search of any database of international relations journal articles for "Democratic Peace Theory" and "terrorism" will turn up precious little. However, a few scholars have tackled the issue, and the preliminary results hold the promise of more disagreement in the future.

John Norton Moore sees a relationship between types of government and shared goals that leads to the phenomenon of the democratic peace. One of those shared goals, in his view, is control of terrorism—and he claims that "government structures rooted in democracy, the rule of law, and human freedom perform impressively better than totalitarian and authoritarian models" at the goal of controlling terror.[27] He provides little empirical evidence, but the theory suggests that he endorses the idea of democratic expansion in order to limit terrorism.

Moore also hypothesizes that democracies are drawn into wars with non-democracies at a heavy rate because they have failed to adequately deter non-democratic elites in other countries from engaging in "high risk behavior."[28] Aggression, genocide and other illegal activities are pulling democracies into otherwise avoidable combat. He believes that if only the democratic nations were clearer about what they will tolerate and what they will not, they could prevent authoritarian regimes from behaving in an ultimately self-destructive manner. Moore theorizes that 'deterrence,' or the lack thereof, is the missing link in DPT. Thus he expands his democratic peace supplement to terrorism: international terror is the result of government failure somewhere—most likely in a non-democratic state—and democracies could deter countries from allowing terrorists to flourish if they acted decisively enough. In other words, there is a need to focus on removing the motives for people to turn to terrorism.

However, he does not use the theory as an excuse for aggressive action. Instead, he believes the idea can shift the paradigm away from the concept that all non-democracies are a threat to the peace that must be dealt with violently. Rather than follow the Bush doctrine of preemption and democracy expansion, he believes that effective deterrence can remove the necessity to act and thus avoid war. He explains that:

> When terrorism…is taking place, it is the totality of external incentives through deterrence that is the only remaining modality of control. That is, when non-democratic government structures massively fail, affecting the interests and commitments of other nations, the only remaining check is for other nations to structure effective external deterrence through incentives.[29]

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[27] Moore, John Norton. "Solving the War Puzzle." *The American Journal of International Law*. Vol. 97, No. 2. Apr. 2003. pp. 282-289.
[28] Ibid.
[29] Ibid.

He calls it the 'incentive theory'—incentives being the useful cousins of deterrents. Moore supports removing trade barriers and engaging the benefits of interdependence. He accepts the liberal philosophy that free trade helps both sides and creates positive incentives over time. He thinks democracies can work together to eliminate terrorism—not just through expansion, but also by focusing all their elements of deterrence. A strong military, appropriate advance warning about unacceptable behavior, effective diplomacy and coalition building, and enhancement of international institutions all can serve to reduce the frequency that democracies are drawn into conflict with states or terrorist organizations.[30]

F. Gregory Gause III disagrees with certain premises of Moore's thinking, but takes an entirely different approach. Gause does not believe there is any evidence supporting the theory that terrorism will not flourish in or around democracies. Though the available data is limited, he finds no strong correlation statistically or anecdotally that justifies current U.S. security policies in the Arab world.[31] He states that terrorism grows out of factors more specific than regime type, thus the pursuit of democracy in the Middle East cannot be expected to serve the interest of terrorism reduction. Similar to Mansfield and Snyder, he believes that the U.S. should instead be focusing its resources on developing "secular, nationalist, and liberal political organizations" in countries that are known to harbor or sponsor terrorists.[32]

Gause reiterates my complaint that the academic literature on the relationship between terrorism and democracy is limited, but he found several older studies. He quotes a survey from the 1980s that discovered both the victims and perpetrators of most terrorist events are citizens of democracies, and that terrorist incidents mostly occur inside democracies.[33] He also uncovered a report that showed that "although terrorist attacks are less frequent when democratic political participation is high, the kinds of checks that liberal democracy typically places on executive power seems to encourage terrorist actions."[34] This mirrors Robert Pape's findings in his famous study of suicide bombers, wherein he concludes that suicide terrorists almost always strategically strike against democracies because they consider them to be 'soft' and more likely to respond to the tactic.[35] Both authors conclude that terrorists are not driven by a desire to fight for or against democracy, per se, but by their nationalist opposition to foreign occupation or domination. Hence, the presence of democracy in a host country would have no bearing on their behavior.

Free countries suffered 269 major terrorist incidents around the world between 2000 and 2003, whereas partly free countries suffered 119, and not free

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[30] Ibid.
[31] Gause III, F. Gregory. "Can Democracy Stop Terrorism?" *Foreign Affairs*. September/October 2005.
[32] Ibid.
[33] Ibid. He quotes a study by William Eubank and Leonard Weinberg.
[34] Ibid. Study by Quan Li.
[35] Pape, Robert. "The Strategic Logic of Suicide Terrorism." *American Political Science Review*. Vol. 97, No. 3. Aug. 2003.

countries suffered 138.[36] Although the vast majority of terrorist attacks in the world occurred in just a few countries, such as Iraq and Afghanistan—thus skewing the statistics—the fact that India suffered one of the highest total attacks speaks to the idea that democratization serves as a miracle cure. If that were true, then the world's largest democracy would not outpace the world's largest authoritarian state—China—in international terrorist attacks by a count of 203 to zero.[37]

Anecdotal evidence supports the idea as well. Gause lists an impressive roster of brutal terrorist organizations arising from democratic states since the 1970s:

- The Red Brigades in Italy
- The Irish Republican Army in Britain and Ireland
- The Japanese Red Army in Japan
- The Red Army Faction in West Germany
- The Basque separatists (ETA) in Spain
- The Kurdish rebels in Turkey

Additionally, there are the individual terrorist cells born in Israel, Britain and the U.S. that grew up to assassinate Yitzhak Rabin, bomb the London underground and destroy the federal building in Oklahoma City.[38]

All of this leaves little space for the theory that a world full of democracies would somehow eliminate terrorism in the same way it might eliminate state-to-state warfare. DPT, it seems, will not address the problem of terrorism. As Gause states, "terrorists, who rarely represent political agendas that could mobilize electoral majorities, would reject the very principles of majority rule and minority rights on which liberal democracy is based."[39]

## Conclusion

Ultimately, Democratic Peace Theory is a fascinating idea, and its importance for international relations cannot be overstated. The debate will continue between liberals and realists over the empirical evidence, but until it is actively disproved, it can serve as a cautious theoretical guide for U.S. foreign policy. However, Mansfield and Snyder have provided a valuable fine-tuning of the policy agenda it should inspire, and it is vital that proponents of freedom and democracy balance the need for democratic expansion with the danger of illiberal transitions. The U.S. must renew its focus on institution building at the local and international level before rushing to democratize states that are not ready. Finally, the inability of the democratic peace to create a world free of large-scale violence must be understood as well. Preliminary evidence suggests that violent,

[36] Gause. Op. cit.
[37] Ibid.
[38] Ibid.
[39] Ibid.

aggressive NSAs will be unaffected by the spread of democracy. Thus, policy leaders need to adapt their fight against terrorism appropriately. A different theory must be found to guide that quest.

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## AFRICAN JOURNALISTS STRUGGLE TO FIND THEIR ROLE IN BUILDING DEMOCRACIES

Barbara Borst

### Abstract

Journalists in Zimbabwe, Kenya and South Africa reflect on a year of strife that has challenged not only their reporting skills but also their ideas about the role of journalism in democracy-building.

### Introduction

Kenyan officials announced disputed results in the December presidential elections and quickly imposed a ban on live broadcasts. Zimbabwean journalists braved arrest and threats for reporting on the country's economic collapse and political violence. In South Africa, the fight for control of the ruling African National Congress increased tensions between politicians and the press.

The Universal Declaration of Human Rights guarantees the right "to seek, receive and impart information and ideas through any media and regardless of frontiers."[40] The U.N. Development Programme calls free and independent news media "another crucial pillar of democracy."[41] Treaties and other international organizations echo those values. Journalists and press freedom organizations agree, of course, and set out lofty codes of conduct to define their role.[42]

Despite all the rhetorical unanimity, in practice freedom of the press often involves a battle between those who hold power and those who seek to monitor the powerful. That competition prevails worldwide, especially in countries struggling to found or to consolidate democracy. The violence in Kenya and Zimbabwe this year, as well as South Africa's political fight, have prompted journalists from those countries to reflect on their role.

### Zimbabwe

"There is difficulty in covering the complete destruction of your own country," said Gerry Jackson, station manager for SW Radio Africa, based outside London. "You have no mental distance."[43]

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[40] Universal Declaration of Human Rights, Article 19, http://www.un.org/Overview/rights.html

[41] UNDP Human Development Report, 2002, "Deepening Democracy in a Fragmented World," p. 6 http://hdr.undp.org/en/media/HDR_2002_EN_Overview.pdf

[42] See the International Covenant on Civil and Political Rights, New Partnership for Africa's Development and U.S. Agency for International Development.

[43] Jackson, Gerry, interview with the author, by telephone from Britain, Oct. 9, 2008

Jackson and other Zimbabwean journalists in exile feel it is vital for Zimbabweans and the world to know of the suffering of ordinary citizens. Land expropriation, corruption, unemployment and inflation in the millions of percent have driven Zimbabwe's economy into the ground in the past decade. Now 5.1 million of its 12 million inhabitants face "severe food shortages.[44] Nearly 3 million Zimbabweans have fled to South Africa[45] and tens of thousands more to Britain.

In March, President Robert Mugabe, who has ruled for 28 years, suffered his first loss at the polls when opposition leader Morgan Tsvangirai of the Movement for Democratic Change won a plurality. Supporters of Mugabe's Zanu-PF unleashed a wave of violence as the June run-off approached, killing more than 100 people.[46] Tsvangirai withdrew rather than risk more lives.

"I don't think any of us expected this descent into violence," Jackson said. Her team prepares radio shows that reach parts of their homeland by short-wave from neighboring countries. She said it is hard to know how many Zimbabweans hear the programs but added that the website gets 100,000 to 250,000 visits a day.

The station struggles for cash, and Zimbabwe officials have denounced it as one of several "pirate radio stations."[47] South Africa mediated a power-sharing agreement between Mugabe and Tsvangirai, but at this writing, talks on how to split the ministries were in jeopardy.[48] The shaky agreement says governments that host or fund "external radio stations" must cease because the broadcasts "are not in Zimbabwe's national interest."[49]

Jackson, however, sees a vital role for the news media in rebuilding the country.

"It's a completely damaged society," she said. "If we are not free to talk about it, it will stay trapped forever."

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[44] World Food Programme press release "Major food appeal for Zimbabwe…," Oct. 9, 2008

[45] Nullis, Clare, "UN donates 2,000 tents for foreigners…," The Associated Press, May 30, 2008

[46] Bryson, Donna, "Zimbabwe opposition: 113 members killed since March," The Associated Press, July 11, 2008

[47] "Zimbabwe: President to Meet MDC Leaders," The Herald, Oct. 10, 2008 http://allafrica.com/stories/200810100008.html

[48] "MDC Seeks New Zimbabwe Election," The BBC online, Oct. 21, 2008 http://news.bbc.co.uk/2/hi/africa/7681468.stm

[49] "Agreement Between the Zimbabwe African National Union-Patriotic Front …" Article 19, Sept. 15, 2008 http://swradioafrica.com/pages/fultext160908.htm

Zimbabwe once had independent newspapers, well-trained journalists and a lively international press corps to balance the state-controlled media. But Mugabe's government imposed such measures as the 2002 Access to Information and Protection of Privacy Act, which requires publications and journalists to register with the government.[50]

The Daily News, founded in 1999 by editor Geoff Nyarota and publisher Wilf Mbanga, survived bombs at its offices and printing plant in 2000-2001 and multiple arrests.[51] But it lost a court challenge to AIPPA and shut down in 2003.[52]

No independent dailies survive, leaving the field to the state-controlled media: the Zimbabwe Broadcasting Corporation, and the Herald and Chronicle newspapers. A few independent weeklies still publish, notably The Standard and The Zimbabwe Independent. Foreign journalists have limited access.

Meanwhile, former Daily News publisher Mbanga launched The Zimbabwean, a print and online publication, from Britain in 2005.[53] He said circulation has reached 200,000 copies, with 3.8 million visits to the Web site per week during the elections.[54]

In May 2008, gunmen hijacked and burned a truck bringing 60,000 copies of The Zimbabwean across the border from South Africa.[55] Then the government jacked up taxes on imports. Mbanga wrote about the problems of reporting on Zimbabwe for Harvard's Nieman Reports:[56]

> In the past few years countless numbers of journalists have been harassed, arrested, beaten, tortured and locked up. ...Under such conditions it is virtually impossible to operate as a professional news organization. We do our best to get the story out and break the silence by exposing the appalling human rights abuses and government corruption. The finer points of journalism have, regrettably, had to be compromised in the desperate battle for access to information. This is guerrilla journalism ...

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[50] Committee to Protect Journalists report "Attacks on the Press in 2007," section on Zimbabwe http://cpj.org/attacks07/africa07/zim07.html

[51] UNESCO, "Geoffrey Nyarota of Zimbabwe Awarded World Press Freedom Prize 2002," http://portal.unesco.org/en/ev.php-URL_ID=1869&URL_DO=DO_TOPIC&URL_SECTION=201.html

[52] Ronning, Helge, "African Journalism and the Struggle for Democratic Media," in Making Journalists, edited by Hugo de Burgh, Routledge, London and New York, 2005, p. 157-9

[53] Mbanga, Wilf, interview by the author, in person, in Britain, July 8, 2005

[54] Mbanga, Wilf "Zimbabwe: Telling the Story, Reporting the News," Nieman Reports, Harvard, Fall 2008 http://nieman.harvard.edu/reportsitem.aspx?id=100420

[55] "News Distributors Beaten in Zimbabwe; Papers Burned," Committee to Protect Journalists, May 27, 2008 http://cpj.org/news/2008/africa/zim27may08na.html

[56] Mbanga, Nieman Reports

Like Mbanga, Stephanie Wolters, Africa director for the Institute for War and Peace Reporting, works with journalists inside Zimbabwe who risk arrest for reporting without government accreditation.[57] IWPR, a London-based non-profit that trains and supports journalists, publishes their work online in weekly "Zimbabwe Crisis Reports."

"I think Zimbabwe is fortunate in that it has a really good pool of journalists who are well trained … and passionate about the work," Wolters said."

But, if they say they are journalists, they face arrest and threats of violence; if they don't, they have trouble covering events and interviewing officials, she said.

"They all write under pseudonyms. It isn't ideal [in terms of] accountability," she added.

The Media Institute of Southern Africa's Zimbabwe chapter charges that the state broadcaster and government-controlled newspapers "remained as firmly entrenched in Zanu-PF propaganda as ever before" despite the power-sharing agreement with the opposition.[58]

Wolters said the problem goes beyond propaganda; it's a question of survival.

"Particularly because of the humanitarian crisis, people need information," she said. "They are completely deprived."

**Kenya**

Partial results in Kenya's presidential election showed the opposition Orange Democratic Movement ahead by 900,000 votes the morning of Dec. 29, dropping to 38,000 by evening.[59] The next day, Kenya's TV stations reported live as the electoral commission announced returns that would keep President Mwai Kibaki in power and ODM backers cried fraud.[60] The army ordered all journalists out of the building except the state broadcaster, KBC, which soon broadcast

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[57] Wolters, Stephanie, interview with the author, by telephone from South Africa, Oct. 10, 2008

[58] Zhangazha, Takura, "Power sharing: Public hope and necessity of reforming state media," Media Institute of Southern Africa – Zimbabwe, http://www.misazim.co.zw/index.php?option=com_content&task=view&id=345&Itemid=1

[59] Reporters Without Borders, International Media Support and Article 19, report "How far to go?" March 3, 2008, p.2

[60] Ibid

Kibaki's swearing in.[61] Protests, crackdowns, riots and ethnic killing quickly erupted, and the information ministry banned live coverage of the conflict.

More than 1,000 people were killed and 300,000 fled their homes[62] as gangs fought in the slums, police clashed with protesters and looters, and rival tribes in the country's fertile Rift Valley killed over politics and land.

Kenya's newspapers and television stations struggled to cover both the violence and the political fight. Many feared that broadcast media would be misused to incite violence, as RTLM radio had done during Rwanda's 1994 genocide.[63]

That fear made Kenya's journalists hesitate to dig up the truth, according to a March report by three international non-profit organizations – Reporters Without Borders, International Media Support and Article 19.[64]

"The media in Africa does not always enthusiastically join in political crises by egging on murderous militants, as is often believed, and Kenya's press, in the violent aftermath of last 27 December's disputed presidential election, was a very good example of how it does not," the report says.[65]

Kenya's media called on politicians to negotiate a solution and citizens to seek reconciliation. Newspapers published joint prayers for peace.[66]

"But the risk they took in doing this was to fail in their duty to report the facts, present them to those involved in events and let the public judge the result," the report says.[67]

While well-intentioned, calls for peace diverted news organizations from investigating who really won the elections and who perpetrated fraud.[68]

"Preaching is not a journalist's main job. The alleged fraud in a presidential election was clearly an urgent matter for the media and its journalists. But in the interests of restoring public order they deliberately chose to ignore it while thousands of Kenyans poured into the streets in search of 'truth' and 'justice,'" the report says.[69]

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[61] Ibid
[62] Odula, Tom, "Commission: Kenya should form a tribunal…" The Associated Press, Oct. 15, 2008
[63] Author's visit to Kenya, Jan. 9-20, 2008
[64] Reporters Without Borders et al, p. 1, 5-6
[65] Ibid, p. 1
[66] Ibid, p. 4-5, and author's visit
[67] Reporters Without Borders et al, p. 1
[68] Ibid, p. 5-7
[69] Ibid, p. 7

Salim Amin, who heads Camerapix, an independent multimedia company in Nairobi, said the problems for Kenyan news media predated the violence.[70]

"The public felt the news media took sides long before the electoral process. Local media made life difficult for themselves by their stands," Amin said. Kenyan media that reported partial election results may have intended to curb fraud, but they stoked the opposition's hopes, perhaps adding to the intensity of public anger, he noted.

The violence was dangerous for all journalists to cover, but particularly so for Kenyans, who risked being of the "wrong" ethnic group in a fluid battle. Certain communities were hostile toward journalists they saw as partisan.[71]

"Some places you couldn't send anyone. We were quite hindered," Amin said.

The ban on live coverage drew international criticism.[72] But Amin said it wouldn't have been an issue if Kenyan broadcasters had the type of delay switch used in wealthier countries to monitor for offensive speech.[73] He also spoke highly of the media's "quite unprecedented" calls for peace.

"I think they did a good job in the end," he said. "They talked about being Kenyan, as opposed to Luo, Kikuyu or something else."

Amin, who has just launched a pan-African online news agency called A24 and heads the Mohamed Amin journalism training center, said Kenyan media need more training, higher pay to keep journalists independent and a focus on holding the powerful to account.

"One of the big issues in Africa is accountability…between public and governments or NGOs, whoever is operating on this continent," he said. "We as journalists need to be that independent voice highlighting what the problems are, who causes the problems."

**South Africa**

For South Africa's strong independent news sector, covering the flash of violence against African immigrants in May was straightforward compared with reporting the battle that may yet split the African National Congress. News organizations fear that chilly relations between journalists and politicians may turn colder still.

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[70] Amin, Salim, interview with the author, by telephone from Kenya, Oct. 15, 2008
[71] Ibid
[72] Reporters Without Borders et al, p. 3
[73] Amin interview

"Both for us and for our colleagues in Kenya, the key thing not to do is to embed" with a political faction, said Ferial Haffajee, editor-in-chief of the Mail & Guardian.[74] Partisan journalism might be fine in Britain or the United States, but it can be a problem in a young democracy, she said.

The ANC has been the ruling party since Nelson Mandela won the country's first all-race elections in 1994. South Africa's Truth and Reconciliation Commission held three days of hearings in 1997 on the news media role under apartheid, and in 2000 the South African Human Rights Commission examined complaints that whites still controlled the news.[75]

Mandela's deputy, Thabo Mbeki, who won two terms (the maximum) as president, often criticized news organizations but didn't take action against them. In 2001, his government met with the South African National Editors' Forum to establish a working relationship.[76] However, a battle continues over whether the state broadcaster, the South African Broadcasting Company, should reflect party line.[77]

In 2005, Mbeki fired his deputy president, Jacob Zuma, over Zuma's ties to a financial adviser convicted of corruption in an arms sale.[78] Last December, Zuma ousted Mbeki from the party presidency, setting himself up to be the ANC's choice in the 2009 presidential elections. A High Court dismissed corruption charges against Zuma in September on a technicality, saying that Mbeki's government had interfered in the case.[79] After the National Prosecuting Authority launched an appeal, the ANC, under Zuma, forced Mbeki to resign.[80]

For the news media, the question is how to cover these shifts, many of them hidden within party circles rather than decided openly. Dingilizwe Ntuli, a political writer at the Sunday Times, said many South African journalists don't fathom how the ANC works and, thus, succumb to spin from factions and dissidents.[81]

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[74] Haffajee, Ferial, interview with the author, by telephone from South Africa, Oct. 13, 2008

[75] Kruger, Franz, Black, White and Grey: Ethics in South African Journalism, Double Storey, Cape Town, 2004, p. 22-24

[76] Kruger, p.25-27

[77] See statements by the South African National Editors' Forum and Freedom of Expression Institute.

[78] Bryson, Donna, "ANC forces South African President Mbeki to resign," The Associated Press, Sept. 20, 2008

[79] Bryson, Donna, "South African prosecutors to appeal Zuma ruling," The Associated Press, Sept. 17, 2008

[80] Ibid

[81] Ntuli, Dingilizwe, interview with the author, by telephone from South Africa, Oct. 13, 2008

"Real ANC people do not take the media seriously; they listen to their leaders," Ntuli said, adding that there is some truth to ANC criticism that print media are "elitist" because they serve the middle class in a country where most are poor.

The Sunday Times was the first to report that Zuma was charged with the rape of a friend's daughter.[82] Zuma was later acquitted.

Ntuli said Zuma supporters are hostile toward the Sunday Times and the Mail & Guardian, which puts pressure on journalists. "You're the biggest paper. You must be breaking stories. When you break stories, the ANC says you're plotting," he added.

The Mail & Guardian was the first to report that Zuma was allegedly involved in the arms sale corruption.[83] Haffajee says that, before the corruption and rape cases, Zuma was "a media darling." Now his supporters want him to rein in the news media. The ANC plans an as-yet undefined media appeals tribunal and other measures that "are going to be harmful in the long term," she added.

"Zuma believes himself to be poorly treated by the media," Haffajee said, but she added that the Mail & Guardian reported facts, not opinion, and strives always to include Zuma's side.

## Conclusions

Anton Harber, former editor of South Africa's Mail & Guardian and now a journalism professor at the University of the Witwatersrand in Johannesburg, looked back at the change from running an anti-apartheid newspaper to reporting on a fledgling democracy:

> New democracies pose a particular challenge for journalists. They are vulnerable and sometimes shaky. One wants them to work and, therefore, one is seeking to define not just what constitutes high-quality and interesting journalism but also how one can best contribute to helping democracy take root.[84]

Journalists from Zimbabwe, Kenya and South Africa are asking just such questions about their role in building democracy in their homelands.

Barbara Borst*, a journalist specializing in international affairs, was based in Kenya and South Africa for five years, has reported throughout that continent*

[82] Ntuli and Haffajee interviews
[83] Haffajee interview
[84] Harber, Anton "Reflections on Journalism in the Transition to Democracy," Ethics & International Affairs, Vol. 18, No. 3, 2004, p. 79

*and researches the role of the news media in democracy-building in Africa, the Balkans and the Palestinian territories. She teaches in two NYU departments: the Center for Global Affairs as an Adjunct Associate Professor and the Arthur L. Carter Journalism Institute.*

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**THRONE BECOMES SEAT OF THE PEOPLE: FROM HINDU KINGDOM TO FEDERAL REPUBLIC**

Dan Logue

Nepal's democratic movement only started in the 1950s following the struggle of the people for democracy against the tyrannical regime on which a dynasty, Rana, ruled the nation and also boycotted the king's power. However this democracy did not last more than 10 years. The then king, Mahendra, took power in a military coup and introduced an authoritarian government, which lasted until 1990. Following a popular movement by the people in 1990, a multi-party system was again established. A constitution was made through a consensus between political parties and the king, which introduced a parliamentarian multi-party system with a constitutional monarch.

In 1990 the constitution was promulgated by the king and was drafted by the king's appointees. Hence, this constitution was not able to treat the people equally because it gave special facilities to the royal family and it did not address the inclusion of multiple ethnicities in mainstream politics. Mere language of the constitution "equal before the laws" was not enough to uplift these backward[85] people. In addition to the social problem, there were many political and economic problems. The elected government could not address the rampant corruption and could not establish good governance. Political parties started fighting to grab power rather than following the people's aspirations and needs. Beginning in 1996, and lasting 10 years, Nepal saw a violent Maoist insurgency waged against the monarchy.

In 2001, the Royal Massacre occurred in which more than ten members of the royal family, including King Birendra, his wife, two sons and one daughter, were killed. Then his [the assassinated king's] brother Gyanendra became king of Nepal. After a few months he dismissed the elected parliament. On February 1st, 2005, he took power entirely and formed a government under his leadership--all the political parties were outlawed and there was no negotiation with the Maoists.

Rabin Subedi is a Human Rights Lawyer in Nepal. Currently he is doing Public Interest Law Fellowship at Columbia University, USA. Advocate Subedi has filed and pleaded a number of Human Rights and Public Interest Cases at the Supreme Court of Nepal. Advocate Subedi stated his carrier as being one of the petitioners of an Impunity Case, which was filed against the Government in 1996. After the popular movement in 1990, a probe commission was formed to investigate the violation of human rights. The government, however, did not

[85] The term *Dalit*, also known as backward, is a South Asian term originating from the Hindi word "dal" meaning suppressed or more specifically "held under check." This is a self given name for South Asian people belonging to the lower strata of the caste system, also called the "Untouchables" and is prevalent primarily in Nepal, India and Bangladesh.

take any action to punish the human rights violators during the movement. He also teaches Law, Human Rights and Social Justice at St. Xavier's College, Kathmandu; though he is currently on leave.

Recently, he sat down with Dan Logue, Editor of *Perspectives on Global Issues*, to discuss the current political situation in Nepal.

**DL: How would you describe the public's reaction to the abolition of the monarchy?**

RS: If you talk frankly about the political situation to the people of Nepal, most of the people [had] expected a republic for a very long time. Before the Royal Massacre in 2001, King Birendra was very popular and to some extent it was not possible to overthrow the king. When, after 2001, King Gyanendra took over power through the unconstitutional move, people were not happy and it was the turning point for the Nepalese people to decide their future. On the other hand, the Moist had gotten support from the people on the agenda of a republic. In the mean time the political parties and the Maoist signed an understanding, which was intended to establish peace, [end]the people's war and [establish a] republic nation via constitutional assembly.

**Is this seen as a movement to further development and openness or is there fear that it will fail as other past attempts have?**

Yes, of course it will be a new starting for the development of the country. We should not think otherwise, but it takes time. Nepal could not develop because of the traditional orthodox rule of the king, which was based on feudalism. Now we have a full democratic system, which is a good starting point. We are optimistic that, on the one hand, we have democracy and on the other hand, the Maoists leading the government are a major political party in the constitutional assembly election.

**What new rights and privileges are granted in the Nepalese constitution?**

As Nepal is in the constitution making process, the achievement of [the] country and [the] people are to be placed formally in the new constitution. Now we have an interim constitution that has guaranteed basic rights. If I point out what are the new achievements, federalism and the establishment of a republic are the main achievements, which make all [the] people happy, yet still, now, federal issues have not been finalized. In addition to this, the country will need to be restructured. All the castes, tribes, women, *dalits*, indigenous people and so on will participate in the nation-building process and mainstream politics as there are more than 100 different communities and their cultures are fundamentally different. Previously, these all were not reflected in the mainstream of the nation

and there was domination by the so-called upper caste. We believe that now Nepal has started a realization of democracy.

**Was there an agreement between the government and now former king in order to guarantee his abdication?**

Formally, we do not know of any agreement. King Gyanendra was dethroned because the majority of the constitutional assembly cast their votes against the monarch, so we can say that he was dethroned by the people in a democratic process.

**Was this a top-down or bottom-up movement to democracy?**

It was both. It was a top-down model because ideas and ideology came from political parties and civil society; but the people carried out the movement from the bottom following [the] ideology of the political parties and civil society organization. The movement in April of 2006, which lasted for 19 days, saw most of the people taking to the streets against the king. Lawyers, doctors, engineers, teachers, civil servants and other professionals also supported the movement.

**There had been a long-standing Maoist movement in Nepal and that leadership also agreed to join the new government, what conditions did they accept?**

The Maoists started their political campaign [by] presenting a 41-point demand before the government in 1996 and these demands were primarily for the people's rights to sovereignty, a republic, a constitutional assembly, etc. However the then government did not listen to the demands of the Maoists as the Maoists were a very small party. They gave an ultimatum that [stated that if] the demands [were] not fulfilled they [would] begin a people's war. Then after some time they started the people's war. By 2006, Maoists occupied nearly 80% of Nepal, excluding the capital area. In the mean time, the king had taken power and betrayed the political parties. As both the political parties and the Maoists signed a 12-point understanding for democracy, peace, republicanism, constitution assembly and more importantly [the] end of [the] violence, the people [took] to the street and supported the agenda of the political parties and [the] Maoists in April 2006. Hence, in the beginning, 4 days were called on, but it lasted for 19 days until the king was compelled to reinstate the parliament, which he has dissolved during his royal coup. In the April 2008 election, [the] Maoists became the major political party in the constitutional assembly and are leading the government now. So, the Maoists have a historical responsibility to make a democratic constitution. They have already agreed to respect democracy, peace and the will of people. The Maoist prime minister assured publicly [that he will] respect peace, democracy and human rights while at the United Nations in September.

**You are a lawyer in Nepal; does the new constitution change the work you will be doing?**

The upcoming constitution will definitely change our work in terms [of] legal proceedings and practice and I think the constitution will be a progressive constitution [in terms of the rule of law] and democracy; whatever we are doing in human rights works will be the same, but better than now. Definitely, if the country becomes a federalist system, some things will be changed.

**Is there belief that democratization will be a positive step for Nepal, in terms of future ties to the West?**

Well, this is a very interesting question. I attended a program with our prime minister last week, which was organized by the Nepalese and I saw in the audience many people from the U.S. and other countries and they had the same question about what will be the relations in the future with the West, especially the U.S., since he is a communist/Maoist prime minister. The U.S. has still not completely removed [the] Maoists from the terrorist list. Responding to the various questions of the audience the prime minister answered that they will respect democracy, development, human rights and peace.

Their ruling system is not very typical of the communist party of the previous world. For this reason they need to have good relations with the U.S. and other Western countries. While at the UN, the prime minister met with many Western representatives to reassure them that the Maoist party would not look like ones of previous eras. It would be a model of [the] 21st century for the development of the people and the nation.

Also, it is interesting to note that when he was elected as prime minister by the constitutional assembly, there was immediate support from the U.S., the EU and other major countries. The U.K. has invited him to visit.

**American media were largely absent during the transition last spring, were media outlets from Asia and Europe covering the event?**

Yes, I don't think [the] American media was totally involved in the issues of Nepal. But during the April Movement of 2006, BBC and CNN (maybe from the Indian bureau) covered [it]. There were not many, however. What I felt when I came to the U.S. was that the people of the EU and Asia were more familiar with the movement of Nepal than Americans. That is not to say that Americans were not aware, but in comparison to others I noticed less in U.S..

**Has there been any assistance offered from India, Japan or the West in this transitional period?**

Last month, the prime minister first visited China and his second visit was to India. Both of these countries are very important to Nepal in terms of its foreign relations. Both China and India have offered to help build some railway lines, wholeheartedly support the government, and since we have such a good relationship with China and India there is no problem. Since there is a democratic system in our country, we don't think there will be any trouble getting assistance from other countries even in Europe or the U.S. But one thing is clear--they are observing the new political situation of Nepal.

**What do you believe is one thing that Nepal needs from the rest of the democratic world in order to be successful?**

See, it is not only the problem of Nepal, but other least developed and developing countries. The developed countries have agreed to provide 0.07 percent of [their] GDP to the government as a part of the Official Development Assistance (ODA). But the ODA comes mostly with conditions of support. The developed countries see their interest before giving support. Similarly, donor agencies such as the Asian Development Bank, the World Bank and IMF, along with the U.S. and EU will provide support, but only with conditions. So, if assistance is provided without [applying] conditions, as in for the necessity of the people or development, definitely Nepal [would] be able to develop very [quickly]. Untill now, it has been directed development. No practical realization of development. For example, the Asian Development Bank has said it would agree to fund [development] only if the Nepalese government privatized drinking water, which was handled as a public utility. Following these conditions, Nepal privatized water this year against the will of people, but following the ADB. In short, Nepal needs foreign support and technology but, as per Nepal's necessity, not according to the donors' interests and politics.

**Professionally, how do you see democracy benefiting Nepal going forward?**

I am very optimistic for this because now we have full citizenship after a very long, long, very feudal monarch. Also, as I have already mentioned the long period of violence is over and we [are] going to have a democratic practice. It will take time since democratic culture cannot be established in one day or two days. The Maoists have said they will double-digit the economy following the existing model of economy. So we are hopeful for economic progress too.

**What are some possible economic benefits from democratization?**

Although, the Maoists have committed to a double-digit economic progress in the country, there are lots of worries [that] come across in the minds of people. The

change and democracy could bring lots of new things that may help realize development, if it is derived on a proper track. Unfortunately, the Maoists are also following the same model of development, which is entirely a failed model and was experimented with by the other political parties after the 1990s. They have said that they will adopt [a] market economy for some years. Unfortunately, I don't believe that it is going to work. Unless they think [of] national ownership on foreign aid, bargain with the donor agencies for national priorities rather than on stated conditionalities, investment, control the rampant corruption, their commitment is not going to work. The bitter example of last year is [that] the Maoist minister signed a loan with Asian Development Bank on the conditionality of water privatization. The Maoists had to think about it before accepting the condition. They might have a fear that the ADB could retain the loans; however they should have been able to bargain with ADB rather than accepting loans with conditions because the poor people cannot afford the drinking water price.

If you see the next relevant example, the Maoist led government seems desperate to make big dams for the development. They think that selling electricity to India and making a lot of money is the panacea for development. However, Nepal was not developing because of issues with these big dams--they are not needed in Nepal. It is an unpopular practice all over the world. Nepal needs development that is industrialization, access to electricity, assurance of health and education, adequate food, employment and empowerment and so forth. These things are only possible from use of resources at the national level, and only selling to others when it is not required in Nepal. There is also the issue that the rate for electricity must be reasonable and not set below the market rate. Providing electricity should start with the community level and even if big dams are required [these] should be made with a comprehensive assessment [and] only for industrialization. More than 80 percent [of the] people do not have access of electricity. But the government's priority is to sell electricity. The better option is [to] first deliver electricity to the Nepalese who do not have access, avoid the concept of big dams since they have adverse environmental effects and do not deliver any economic progress to the country. We believe this could help replace petroleum products. The Maoists need to think about this issue more.

**MOROCCO: CHALLENGES TO DEMOCRACY**
Will Hogan

As the Kingdom of Morocco confronts many of the new millennium's challenges—poverty, booming populations and security concerns—its government and people have a great opportunity to increase democracy while retaining their traditions. Morocco's position directly south of Spain and at the European Union's door could provide an example in enacting democratic reform. Morocco's biggest challenge to democratic reform lies in the current structure of its government: vast powers vested in the king and conversely few in the elected parliament or appointed judiciary. The manner in which this challenge is addressed should be considered by both the EU and the United States as an important test case for democracy in a majority Muslim country. The moderate nature of Moroccan Islam, along with its geographical and political proximity to Europe—the latter a result of its colonial past and extensive diaspora—will play an important part in any political reforms. The kingdom, as *Boston Globe* columnist H. Greenway puts it, "is the West's best hope."[86] This leads to the following questions: What are the possibilities for greater democracy and political freedom in the kingdom? Would a monarchy modeled on EU countries, such as Spain, work in Morocco? How can these reforms take place amidst increased economic and security concerns?

## The Monarchy: A Sacred Tradition

The 1996 constitution establishes that the king, as descendant of the Prophet, is first and foremost "Amir Al-Muminin," or Commander of the Faithful, and as such "the person of the king shall be sacred and inviolable."[87] The king appoints the prime minister, as well as the ministers of interior, foreign affairs, justice and Islamic affairs. He may also "terminate the services of the Government either on his own initiative or because of their resignation,"[88] and can dismiss either or both houses of parliament (the House of Representatives and the House of Counselors) by royal decree. The parliament is elected from a variety of political parties, and members of parliament as well as opposition groups may criticize the government except in three key areas, known as the "sacred limits." No person may "question the role of the monarchy, the position of Islam, or policy on Western Sahara."[89]

Morocco's long history of monarchic rule (interrupted by forty-four years as a French protectorate)[90] set the stage for post-colonial political leadership with

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[86] Greenway, H.D.S. "Morocco's Challenge." International Herald Tribune. 12 April 2006 <http://www.iht.com/articles/2006/04/11/opinion/edgreenway.php>
[87] Constitution of the Kingdom of Morocco < http://www.servat.unibe.ch/law/icl >
[88] Ibid.
[89] Morocco: Constitution and Institutions. The Economist Intelligence Unit. New York: EIU ViewsWire. April 2007 <http://ezproxy.library.nyu.edu:2082/pqdweb?index=0&did=1264525371 >
[90] Waterbury, John. The Commander of the Faithful. New York: Columbia University Press. 1970. 15.

little true democratic participation in the decision-making process. Muhammad V, grandfather of the current king, returned from exile in 1956 to take over upon the voluntary withdrawal of the French. From the beginning, the government was set up as a monarchy with nominal representation through an elected body. Political parties were initially encouraged in order to compete with the group that had supported Muhammad V's ascension, the Istiqlal.[91] The number and variety of parties would grow, but their level of participation in driving the government would remain the same. This was especially true in the first post-colonial reign. Muhammad V enjoyed "hero" status because of his role in the independence movement, so his power went relatively unchallenged by opposition factions.

Following the initial exhilaration of independence, however, Muhammad V's son, King Hassan II, dealt with "frustrated coups, foreign invasions and several assassination attempts"[92] by establishing a state of emergency in 1965. This began a period of repressive government on par with other Arab states at the time. Nevertheless, expectations of increased democratic freedoms were very high among Moroccans when his son Muhammad VI ascended to the throne in 1999. These expectations would not be completely fulfilled. Although reform-minded in certain areas, such as women's rights and voting laws, the new king retained the substantial powers given to him by the 1996 constitution, even as the population looked for democratic change.

**Morocco's Problems and the Royal Response**

The myriad of problems facing Morocco have given grist to the mill of both the opposition seeking more political say as well as to the king and his supporters seeking to maintain the status quo. First, Morocco has a very young population that is becoming increasingly urbanized; it increased from 25% in 1960 to 55% in 2000.[93] Many live in poverty, with 14% subsisting on a dollar or less per day. Within the adult population, Morocco has the highest level of illiteracy (50%) in the Arab world.[94] Further, three million jobs will have to be created by 2010 "simply to absorb the increase in the working age population."[95] In addition to these economic and social problems, there is low confidence in the existing government institutions, which are viewed at best as inefficient and at worst as corrupt and impotent, leading to voter apathy and frequent calls for change. This

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[91] Ibid. 146.
[92] Greenway, H.D.S. "Reform in Morocco." Boston Globe 11 April 2006 <http://www.boston.com/news/globe/editorial_opinion/oped/articles/2006/04/11/reform_in_morocco/>
[93] Cherkaoui, Mouna and Driss Ben Ali. The Political Economy of Growth in Morocco. The Quarterly Review of Economics and Finance, No. 46. February 2007: 741
[94] Martín, Iván. Morocco: The Basis for a New Development Model? Area: Mediterranean and Arab World, Real Instituto Elcano. 2006 <http://www.realinstitutoelcano.org/wps/portal/rielcano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Mediterranean+Arab+World/ARI+35-2006>
[95] Ibid.

was true as recently as the September 2007 parliamentary elections where, despite international accolades as to the fairness and transparency of the vote, turnout was a paltry 37% of the population.[96]

The new king's response was to implement programs to improve conditions and to enact new laws placating opposition parties. In 2005, he launched an ambitious development program called the National Initiative for Human Development (INDH). In a speech detailing the focus of the project, Muhammad VI set three priorities: (1) to reduce the social deficit (both urban and rural) through better access to basic infrastructure; (2) to promote income generating activities and employment; and (3) to offer assistance to the most vulnerable social groups to help them emerge from their precarious social positions.[97] The project falls under the supervision of the governors (appointed by the king himself) and represents a strong step to address the inequalities in Moroccan society. The effects are still to be seen, but critics point out that funding is too limited to address the depth of societal and economic woes in the kingdom.[98]

On the political front, the king established a truth and reconciliation commission in 2004, designed to investigate human rights abuses committed during his father's reign. This is the first commission of its kind in an Arab-Islamic country. Victims of torture and unwarranted detention have been able to "voice their sufferings publicly and have been promised financial compensation."[99] This again is a positive step, but does not address the basic weaknesses in the system. Muhammad VI may be a caring monarch intent on limited reforms, but what about his successors? Will future kings curb reforms or worse consolidate their powers through torture, imprisonment and intimidation?

Other political reforms have been well received by the international community. In 2004, the king signed into law the new family code, or *Mudawana*, giving significant rights to women. This legislation made polygamy more difficult, while also giving women more control over their lives. This was done by forbidding men to take more than one wife (traditionally accepted in Muslim-Arab culture) except through the consent of the first wife, proof of economic ability to support another spouse and the approval of a judge. Another part of the law banned husband-initiated verbal divorces, where an irate husband could repudiate his wife on the spot merely by stating the fact. This act could

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[96] Hamzawy, Amr. The 2007 Moroccan Parliamentary Elections: Results and Implications. Middle East Program, Carnegie Endowment for International Peace 11 Sept. 2007 <http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=19569&prog=zgp&proj=zme>

[97] Martín. Op. cit.

[98] Ibid.

[99] Hazan, Pierre. Morocco: Betting on the Truth and Reconciliation Commission, Special Report 165, United States Institute of Peace. July 2006 <http://www.usip.org/pubs/specialreports/sr165.html>

then be legally binding and the husband was free to abandon the rejected woman. In an even more progressive move, women at age 18 can now become their own legal guardian, instead of their closest male relative.[100]

Although these reforms have been praised in the international community as well as by moderate Moroccans, they have not given the Moroccan people more freedom or representation. Indeed, detractors both at home and abroad have called these reforms "cosmetic," designed to appease the public and the West enough to maintain the peace and the flow of development aid. Foreign Policy Watch called this "defensive democratization," in which "regimes implement risk-free, cosmetic reforms that give their citizens an outlet to vent but little more. By having elected parliaments and periodic elections, Arab dictatorships can deflect citizen demands, while getting the international legitimacy they crave."[101]

## A Thirst for Further Reform

What do the forces of change want? What are the possible ways to implement change while maintaining the monarchy within a stable environment? Calls for reform have increased as the economic development of Morocco has proceeded at a snails pace. Leading parties such as Istiqlal and the Islamist Justice and Development Party (PJD) consider constitutional reform key to any progress. Although not critical of the monarchic system, they would like to see the king's powers limited via more checks and balances. The PJD leadership, especially, sensed that their party would be considered irrelevant if they accept seats in parliament in the 2007 elections without having changed the system beforehand. In one view, "if [the PJD] joins government, it risks—like others before it—being tarnished with a failure to cultivate change."[102] Despite this attitude, the PJD moved forward, using toned down rhetoric designed to appeal to moderate members of society. This resulted in a solid showing in the 2007 elections, as PJD candidates received 14% of the vote and 46 seats (only one party gained more seats, the liberal conservative Independence Party).[103] Still, parties returned after the election to their broad consensus favoring an elected prime minister (not one appointed by the king), as well as integration of opposition parties into the cabinet. Lastly, the parties have called for increased freedom of speech as well as transparency in the cabinet and government agencies.

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[100] Harter, Pascale. "Divorce Divides Morocco and W Sahara." BBC News. 4 Aug. 2004 <http://news.bbc.co.uk/2/hi/africa/3532612.stm>

[101] Hamid, Shadi and Jeb Koogler. The Myth of Moroccan Democracy. Foreign Policy Watch. 22 Sept. 2007 <http://fpwatch.blogspot.com/2007/09/hamidkoogler-in-tap.html>

[102] England, Andrew. "Moroccan King holds strings of Power in Poll." Financial Times. 6 Sept. 2007 <http://us.ft.com/ftgateway/superpage.ft?news_id=fto090720070012252096>

[103] Hamzawy. Op. cit.

**Spain: A Possible Blueprint**

In response to these demands by the opposition, one can argue that it is in the realm of possibility for Morocco to implement a true parliamentary monarchy, modeled on the Kingdom of Spain. In the case of Spain, the transition to a parliamentary monarchy at the end of Francisco Franco's decades-long dictatorship permitted an orderly transfer of power to an established royal line, the house of Borbon. Spain's constitution possesses many attributes that would serve well in Morocco, a nation where the monarchy is already in place and widely accepted.

To begin with, it is important to look at the parallels between the constitutions of Morocco and Spain. In both, the king is the head of state based on right of succession, and his person is considered "inviolable."[104] The king also convokes the parliament, calls for constitutional referendums and accredits ambassadors and foreign ministers. He appoints cabinet members, and is commander in chief of the armed forces (Spain's document provides for checks and balances for these powers that will be addressed in the next paragraph). Both guarantee fundamental rights, such as freedom of movement and the protection of other religions.[105] At a basic level, these similarities allow the establishment of reforms in Morocco without threatening the existence of the monarchy.

The more democratic aspects of the Spanish document that could be adopted in Morocco would signify reform while also making the government more responsive to its society. The Spanish constitution recognizes in its preamble the existence of multitude of ethnicities, traditions and languages. In the Moroccan constitution, this simple recognition would help integrate the Berber-speaking people of Morocco as well as inhabitants of the Western Sahara region. Currently, the constitution speaks of "African unity" but does not address the Berbers or Western Saharans by name.[106]

Second and more importantly, the Spanish king maintains his powers in the areas of legislative approval and the appointment of cabinet members, foreign ministers, military officers and command of the armed forces. However, all these powers are subjected to countersignature "by the President of the Government and, when appropriate, by the competent ministers."[107] For Morocco, this clause will make the government's actions more representative of the will of the people. It is also imperative that the president or prime minister be elected by the people, and not just appointed by the king from his retinue of advisors.

Third, the Spanish constitution gives wider responsibilities to the parliament as a representative of the people. The parliament "exercises the

[104] Constitutions of Spain and Morocco < http://www.servat.unibe.ch/law/icl>
[105] Ibid.
[106] Ibid.
[107] Ibid.

legislative power of the State, approves its budgets, controls the action of the Government, and has the other competences assigned by the Constitution," and like the king is considered "inviolable."[108] The Spanish king acts an arbiter and overseer of these institutions.[109] As for the Moroccan document, although it delineates many areas over which the parliament has responsibility, these are all subject to the king's oversight. The fact that the king can dissolve both houses of parliament via royal decree ensures that legislators are beholden to the king and not the people who elected them.

Finally, constitutional reform in Morocco will have to proceed through the Constitutional Council, which is also nominated by the king. This makes any reform that does not have the king's approval impossible to move forward. In contrast, members of the Spanish Constitutional Council are nominated by parliament. As an official gesture, the king must still approve the nominees; nevertheless, they are still nominated by elected officials.

**Islam and the Parliamentary Monarchy**

One cannot look at reform in a Muslim country without touching on radical Islam and the popular rise of Islamist parties. In the same manner as economic and development problems, this phenomenon would have two opposite effects on political reform in Morocco. On the one hand, fear of radicalism, in the wider context of the "war on terror," could drive Muhammad VI to stall or even reverse some of his reforms, with tacit approval of the U.S. and possibly the EU. This is exactly what took place after the Casablanca bombing of 2004, which led to 4,000 arrests under a 2003 Antiterrorism Law. This was followed by calls for the abolition of parties based on religion.[110] The other option is for Muhammad VI to maintain and possibly increase political freedoms in order to destroy support for radical Islam. According to North African analyst Haizem Amirah, this "would check the radical sectors, because they would start to feel that they had less popular support, less a sense of a mission."[111] This is a sensible approach because the threat to the monarchy itself is very limited, and by offering a greater political voice to everyone, radical Islamists lose their major rallying cry.

**Another Way Forward?**

How can the international community, especially the EU, encourage Morocco to undertake the reform yearned for by its citizens? One option relates to Morocco's aspirations to become a closer EU partner. This can be leveraged to encourage slow reform with an eye toward eventual parliamentary monarchy

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[108] Ibid.
[109] Ibid, Title II, Article 56.
[110] Pingree, Geoff and Lisa Abend. "Morocco's Rising Islamist Challenge." The Christian Science Monitor. 23 Nov. 2005 <http://www.csmonitor.com/2005/1123/p06s02-wome.html>
[111] Ibid.

nearer to the Spanish model. Morocco's exports to Europe have already doubled to 35% from 2005 to 2006.[112] This comes ahead of an expected free trade agreement that will include "not only goods…but also agriculture and services, giving the country almost the same deal with Europe as member states have with each other."[113] In the same manner as nations have undertaken improvements in the areas of political responsibility, corruption and human rights in efforts to become closer to, or even a part of, the EU, Morocco too can be invited to reform for sake of closer, more profitable ties. This "carrot" approach to encourage regimes to increase democratic reforms works in a way that the "stick" approach of sanctions or even "regime change" can never touch. Voluntary changes coming from within allow full participation by society in the timing and content of these reforms. The people "own" the force of change and the way it takes shape.

In sum, economic problems and security concerns will place pressure on both the existing government to retain or increase its powers, as well as on the opposition to gain power in order to effect change. The solution to this challenge is for the monarchy to continue implementing reforms, using the example of the EU parliamentary democracies. Increased political freedoms, transparency and representation will undercut support for radical Islamists, while strengthening ties with the EU will result in a rise in investment, tourism revenue, knowledge acquisition and trade. This will address the country's economic problems as well. As to whether the current king is inclined to do this, only he knows. Muhammad VI has shown himself to be a caring, reform-minded king who enjoys popular support across all sections of society. It is incumbent on him to take these reforms as far as he can to help Morocco's transition into the new millennium.

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[112] Vencat, Emily Flynn. "Sunny, Modern, Morocco." Newsweek, 9 Oct 2006 <http://www.newsweek.com/id/44787?tid=relatedcl>

[113] Ibid.

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# THE KWAZULU-NATAL SLUMS BILL: AN ILLUSTRATION OF AN INSTITUTIONAL SHIFT IN DEMOCRACY

Mikelle Adgate, Scot Dalton, Betsy Fuller Matambanadzo

## Abstract

In August 2007, the provincial government of KwaZulu Natal in South Africa passed the KwaZulu-Natal Elimination and Prevention of Re-emergence of Slums Bill (hereafter referred to as the "Slums Bill"). The Slums Bill seeks to progressively eliminate slums and slum conditions and to prevent their re-emergence in the province. While the provincial government has argued that this Bill is a natural step in the democratic progression of South Africa and international efforts for poverty and slum eradication we strongly disagree. In this paper we illustrate that the secretive nature of the Bill's development and passage, not only marginalized imjondolo (shackdweller) communities, but echoes apartheid legislation. We also discuss the socially democratic values of housing policy legislation in the 1990s and identify how the Slums Bill illuminates a radical institutional shift in South African decentralization efforts. While we argue that this institutional shift is inherently undemocratic in nature, we offer multiple recommendations for the province and South Africa to return to a more inclusive form of social democracy.

## Introduction

The province of KwaZulu-Natal (KZN) in South Africa has a problem. Shack dweller communities or *imijondolo* (singular, *umjondolo*) are growing despite a variety of policies aimed at reducing their numbers. The living conditions in these communities are extremely poor. Inadequate infrastructure and non-existent services plague these neighborhoods and the constant threat of fire hangs palpably over this marginalized population. In an attempt to address this problem the provincial legislature has passed the KwaZulu-Natal Elimination and Prevention of Re-emergence of Slums Bill (hereafter referred to as the “Slums Bill”).

The Slums Bill is insufficient to solve the housing problem in KZN and is in fact a clear example of how South Africa has moved away from its progressive ideal of democratic institutions founded on civic participation and towards Western models of technocratic decentralization, discussed in more detail later. Given this shift, alarming parallels arise between the Slums Bill and apartheid era legislation. The Bill reinforces and exacerbates a history of hostility between marginalized communities and local governments and shows more concern for international influences than it does for the communities it purports to serve.

## A Description of the Slums Bill

The Slums Bill, drafted in October 2006 and passed in August 2007, seeks to progressively eliminate slums and slum conditions and to prevent their re-emergence in the province. More specifically, the Bill: a) aims to

increase coordination between municipalities and provincial government regarding slum elimination; b) requires that owners secure vacant property to prevent illegal occupation; c) establishes a timetable for obligatory evictions by owners; d) mandates that owners renovate to remove unhygienic conditions; e) prohibits substandard or illegally constructed accommodation for financial benefit, and; f) authorizes eviction of unlawful occupants by the municipality "if such eviction is in the public interest."[114] The Bill criminalizes non-compliance of landlords, property owners, and occupiers, punishable with fines or imprisonment. Implementation responsibilities lie with the municipality, which the Bill requires provide "transit areas" for longer-term evictees. Transit areas are intended to be "temporary accommodation,"[115] but no maximum time periods are prescribed. While the transit area must be near an economic center, proximity to health clinics, schools or other community resources is not necessary.

**A Brief History of the Slums Bill**

Housing provision has been a fundamental issue in South Africa since its transition from apartheid. During this transition, the Housing White Paper of 1994 emphasized a strategy, focused on the poor, which decentralized institutions from the national level to the local and provincial levels.[116] The White Paper states the government's commitment to a "development process driven from within communities… equipping and empowering people to drive … [the] development of their physical environment and the satisfaction of their basic needs."[117] The document recommends creating appropriate institutional frameworks that enable this process, and addresses the importance of accountability, performance standards and monitoring mechanisms for all state interventions.

With the ratification of its Constitution in 1996, South Africa put into law the recommendations of the 1994 White Paper. Section 26 declares, "Everyone has the right to have access to adequate housing" and that the "state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of this right." Furthermore, "no one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions."[118]

Two key pieces of housing legislation, enacted in the early years of the Republic, began to institutionalize the ideals of the Constitution. The Housing Act of 1997 outlined the roles held by the national, provincial and municipal governments in housing development and delivery. The Prevention of Illegal Eviction From and Unlawful Occupation of Land Act (PIE) of 1998 repealed a 1951 apartheid era law entitled the Prevention of Illegal Squatting Act of 1951. The PIE Act aimed to prevent arbitrary deprivation of property, and states

[114] Ibid., 8,11.
[115] Ibid., 12
[116] South Africa 1994, Section 4.1
[117] Ibid., Section 4.4.4
[118] South Africa 1996, Section 26

that no law shall do so. It requires state institutions and owners to obtain a court order before they may legally evict unlawful occupiers of property.

The 2004 national housing policy, Breaking New Ground (BNG), attempted to apply international best practices, such as *in situ* upgrades, to the issue of informal settlements. Breaking New Ground hoped to be a "comprehensive plan for the development of sustainable human settlements," and specified a need to shift policies from those that are based on conflict or neglect to those that seek to stabilize the communities in question and integrate them into the urban landscape.[119] Integral in this policy was the insistence that relocation only be used as a last resort.[120] In an effort to align itself with the new national housing policy, KZN adopted the Housing Strategic Plan for 2004 -2007. The Strategic Plan specifies the eradication of slums in the province by 2010 as the first of seven key areas of focus for the next five years.[121]

Unfortunately, these policies were not sufficient to stem the rise in imijondolo communities in the province. Couched in the rhetoric of slum eradication first encountered in the KZN Housing Strategic plan and reinforced by the international development community, the Slums Bill was seen as a legislative tool for addressing the problem of slums in the province and providing a legal framework for dealing with slums and slumlords. The Bill was presented to parliament on June 21, 2007, and framed as the logical result of previous housing policy in South Africa and KZN, although it proved to be a significant departure from prior policy. Public meetings were held in the development of the Bill, but differing accounts of those meetings call into question the degree to which participation was encouraged. In a hearing on May 4, 2007 at the Kennedy Road umjondolo community, one report indicated that only a brief outline of the Bill was given and many questions posed by the people most affected went unanswered.[122] During parliamentary proceedings, legitimate concerns including the severe language of the bill, the perception of the bill as harkening back to apartheid era clearances, and unchecked municipal power during implementation were played down as the Bill passed with overwhelming cross party support due to effective framing strategies by the Bill's supporters.

## Echoes of Apartheid

Despite the KZN parliament's insistence, the Slums Bill does not progress naturally from such national policies as the Housing Act of 1997, the PIE Act of 1998 and Breaking New Ground of 2004. It is in fact, more reminiscent of apartheid era housing policy as seen by the multiple parallels described below.

Housing policy, by its nature and definition was a critical tool in the colonial and apartheid regimes' racial engineering programs. In 1913, at least

[119] South Africa 2004
[120] Huchzermeyer 2007
[121] KwaZulu-Natal Department of Housing 2004
[122] Mkhize 2007

three decades before the crystallization of apartheid policy, the government passed the Natives Land Act, which made it illegal for blacks to purchase property from whites except in reserves. As a result the entire black and native population of the country existed on less than eight percent of South African land. Ten years later the Natives (Urban Areas) Act of 1923 legislated segregation and began criminalizing mixed race interaction in land and housing affairs. The first housing-only legislation was written in 1925 by an Afrikaner commission tasked with researching "the native question" or "the bantu problem." The commission "urged a demarcation in housing schemes between white, coloured and "native" areas, and recommended special sections in government departments to look after coloured interests."[123]

When the National Party came into office in 1948, it argued that apartheid and its concise and systematic legislation was about "formulating a new moral language with which to legitimate the project of radically restructuring society."[124] The cornerstone of apartheid legislation, the Group Areas Act of 1950, constructed distinct "residential areas" throughout the country, and separated people by race. It was implemented and enforced by other formal legislation such as the Western Areas Removal Act, which permitted forced removals by violent police action. Throughout the 1950s and 1960s several vibrant communities, like the famous Sophiatown, were invaded by the State. These townships, once epicenters of interracial interaction were bulldozed to the ground. The wounds from such destructive acts imposed upon these communities are not healed. Thus, the threat of elimination and destruction for "the public good" that is specified in the Slums Bill represents much more than a conceptual last resort toward progress. It is, in fact, a treacherous reminder of a repressive state.

As a result of these forced removals, which took non-whites out of economic centers, large informal settlements and "slums" sprang up. The National Party responded with the Prevention of Illegal Squatting Act of 1951 that gave the Minister of Native Affairs the power to remove blacks from public or privately owned land and to establish "resettlement camps" to house the displaced people. Resettlement camps were located in undesirable locations, far from job opportunities or viable community centers. The parallels between resettlement areas and transit areas as described in the Slums Bill are not lost to the imijondolo communities.

As anti-apartheid social movements mobilized in the 1960's protesting Pass Laws and forced removals, the national government responded by establishing local government protocols which were essentially useless advisory bodies without any authority. Through the 60's and 70's several acts created municipalities and boards that were considered corrupt by the people, and the non-white leaders who sat on them were distrusted because of their apparent allegiance to the National Party. In 1982 Black Local Authorities were put in place to squelch the rising violence. They were immediately deemed politically illegitimate by the people because they enforced all of the

[123] Gilliomee 2003
[124] Ibid.

previous policies of segregation and economic exclusion.[125] The housing policies enacted by these bodies were based on racial suppression and inequality. These ineffective local governments have created a long history of mistrust between the people of South Africa and their municipal representatives. Tensions remain to this day and are reflected in the fundamental distrust of the municipal powers granted by Slums Bill.

**The Unrealized Democratic Potential of The Republic of South Africa**

The pervasive anti-democratic nature of apartheid policy and its emphasis on violent racial engineering left the country with decades of social, political, and economic inequalities. Developing political mechanisms to redress this inequity has left the people of South Africa and the African National Congress (ANC) "with what might arguably be the greatest transformative challenge ever faced by a democratic government."[126] Despite these challenges, the negotiated end to apartheid gave way to the new Republic of South Africa, grounded in social democracy and promising to hold human rights, human dignity, and freedom of expression as its highest ideals.

In June of 1990, the two most despised laws of apartheid were repealed, the Group Areas Act, and the Population Registration Act, rolling back decades of brutal racial engineering. Municipal, provincial, and state level government agencies that were once charged with the enforcement of racial segregation were now the primary agents of social and economic revolution. The ANC embraced their "transformative challenge" with wide sweeping decentralization efforts that included negotiations with the National Party. In these early years, leadership from aligned political parties and factions within the ANC itself had varying ideas of how a new South Africa should look. Democratic decentralization was viewed as fundamental to engaging civic participation in dismantling apartheid policy infrastructure and opposition parties viewed decentralization as an essential check of ANC power and control.

Following the passage of the Constitution, policies and laws regarding housing and property continued in the vein of justice for the most underserved communities in South Africa. When Nelson Mandela took office in 1994 the ANC laid out an aggressive Reconstruction and Development Program (RDP). RDP's housing agenda promised to provide 1.1 million government subsidized units to accommodate the nearly 5 million (of an estimated 12.5 million) South Africans without proper housing.[127] RDP's 1994 White Paper on Housing weaves together topics of economic empowerment, financing strategy and poverty alleviation for the majority of South Africans. It discusses combining the resources of civil society, private institutions and the State to finance its strategy, and encourages private investment once the public environment is conducive and attractive to such investment.[128]

[125] South Africa 1998, White Paper on Local Government
[126] Heller 2001, 145
[127] Lodge 2003
[128] South Africa 1994, Section 4.6

By 1998 South Africa appeared to have met all of the qualifications for a successful decentralization effort including a high degree of state capacity (as inherited from the first-world nature of the apartheid regime), a well developed, financed, and politically respected civil society, and a left-of center-political party in office that had a significant social movement history.[129] The ANC leadership publicly stressed the need for an overhaul in local government infrastructure (dismantling the Black Local Authorities of '82), in order to overcome the apartheid legacy of poor and abusive relationships between the municipalities and the marginalized communities they were created to "serve".[130]

In its quest to decentralize government, South Africa looked to the international community for templates to expand its democratic institutions. Given its status as the "African Superpower" due to its developed infrastructure and economy, it followed in the footsteps of western decentralization techniques that emphasized administrative development known as "technocractic decentralization." Unfortunately, decentralization efforts of this sort rarely succeed in developing countries since "[b]lueprints developed in the West are hardly appropriate to Third World contexts,"[131] and the ANC rapidly began failing expectations. Various levels of government and society did not shift as quickly as necessary into the decentralization efforts, and the new state faced a "recalcitrant bureaucracy, military and judiciary [which] in learning to cope the ANC has moved to dangerous practices of centralizing power, and perhaps condoning corruption," so that a "continued democratic future for South Africa cannot be guaranteed."[132] This institutional shift moved away from the Republic's founding democratic ideologies.

When Thabo Mbeki took office in 1999 South Africa's institutional shift was well under way. The government abandoned RDP and implemented Growth, Employment and Redistribution (GEAR); "an orthodox neoliberal strategy of growth-led development and national trends of marketization and managerial insulation."[133] GEAR embraced the Washington Consensus development agenda which emphasized liberalizing trade and privatizing industry. As a result it alienated civil society and ignored their calls for participatory engagement. In order to promote consistency between this new economic program, and political sectors of the country, the ANC rolled out technocratic decentralization efforts that were also modeled after Western concepts of public administration.

The KZN Slums Bill is a perfect example of the policy overhaul that has occurred between 1994 and 2006. The RDP ideal of "people driven" development, with its goals of training citizens, educating them, and engaging them in housing initiatives has been completely abandoned. GEAR centers on

[129] Heller 2001. 143
[130] South Africa 1998, White Paper on Local Government
[131] Heller 2001, 145
[132] Hawker 2000
[133] Heller 2001, 145

"streamlining management systems, cutting costs, and emphasizing administrative performance rather than mobilizing participation."[134] The majority of the Bill targets implementation procedures to improve cooperation between the municipal and provincial governments. An entire chapter of the Slums Bill delineates the annual administrative and bureaucratic reporting procedures for the 51 municipalities in the province.[135]

**Recommendations and Conclusion**

In a landmark case (Occupiers of 51 Olivia Road Berea Township and 197 Main Street Johannesburg v City of Johannesburg, February, 2008), the Constitutional Court ruled in favor of evicted imijondolo communities. This case emphasizes the founding ideals of South African democracy, enforcing the city's responsibility to engage the community to come to a mutually desirable solution. In the final ruling, Chief Justice Yacoob states, "… the larger the number of people potentially to be affected by eviction, the greater the need for structured, consistent and careful engagement."[136] It is an unreasonable and inefficient solution for the Constitutional Court alone to remind municipal and provincial governments of their responsibilities toward civil society. Briefly, we have the following recommendations:

- Repeal the act: With its emphasis on the bureaucratic relationship between the province and its municipalities, it is an element of technocratic decentralization that alienates civil society. This alienation has led to political, economic, and social instability in the province. Organizations will continue to challenge the constitutionality of the bill because it alters the PIE Act by criminalizing owners who do not begin eviction of "unlawful occupiers." This edict directly contradicts national legislation including the 2004 Breaking New Ground Housing Strategy, and violates Constitutional precedent.
- Legitimize imijondolo communities: Removing value laden terms like "slums" and "eradication" from the discourse would allow the provincial government to engage the communities rather than alienate them. Rather than slums elimination, the province should discuss imijondolo community improvements. Even this slight change in the discourse would grant the imijondolo status as legitimate communities with legitimate concerns.
- Institutionalize civic participation: As we have seen in multiple examples, decades of abuse under apartheid takes more than 10 years to undo, therefore structures on all levels of government must be held accountable to their constituencies and do their best to deliver according to structured negotiation between communities and the state. Civic participation needs greater legitimacy, institutionalization and resource support in order for true engagement to occur.

[134] Heller 2001, 143
[135] KwaZulu-Natal Department of Housing 2006
[136] Yacoob 2008, Section 19

In less than 15 years, the Republic of South Africa has radically diverted from the social democratic ideologies of its inception and has left behind a large swath of its population, who still live under Third World conditions. This diversion has disillusioned many of the social movements that once fought so hard for its existence. Grassroots housing organizations have accused the government of wanting "followers not comrades" in economic development.[137] When the Government hosts "Freedom Day" in honor of its Constitution, housing advocates host "UnFreedom Day" to reflect the widening gap between policies and democratic ideals.

[137] Abahlali baseMjondolo 2008, Abahlali baseMjondolo to Mourn UnFreedom Day

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**ISRAEL'S DEMOCRACY: WHERE TO?**
Robert Rockaway

Many years ago when I was writing my book on Jewish gangsters, I interviewed Meyer Lansky, considered to be the "Jewish Godfather" of organized crime. Lansky was still upset by the fact that he had been expelled from Israel in 1972. He blamed Yosef Berg, who had been the minister of the interior in Golda Meir's government. "Who the hell does he think he is," complained Lansky. "Does he think he owns the country?" My response was, "Meyer, there are some people in Israel who think the country is their private business."

My view has changed little since then. Israel has always considered itself a western style democracy. Yet we have politicians and wealthy business people, including Jews who live abroad, who treat the country like their private fiefdom. Our recent scandals involving Prime Minister Ehud Olmert and our former Finance Minister, Avraham Hirschenson are only the tip of the iceberg.

Olmert's fondness for the "good life" and unseemly high style of living have raised questions as to how someone who has spent years in political life, as a member of the Knesset, mayor of Jerusalem, and minister, became so wealthy. Now all his past "indiscretions" are being investigated, and there is a good chance he will be indicted for bribery, breach of trust, and money laundering. Receiving envelopes filled with cash from an American go-between, may have done him in.

Olmert's friend and crony, and the man he appointed finance minister, Avraham Hirschenson, is standing trial for thievery, bribery, breach of trust, and money laundering. His case is simpler to prove: he was caught red-handed with his hand in the till. He stole money from the pension fund of a worker's organization he headed. Hirschenson has been Olmert's friend for years, and they worked together in the Likud Party. Did Olmert not know anything about Hirschenson's unethical and illegal activities? Were there no rumors about the man? Or did it not matter to him. As they say, "Birds of a feather flock together."

Then there is the case of Aryeh Deri, a stalwart member of the ultra-Orthodox Shas party, who served as minister of the interior. Deri was convicted of receiving a bribe, fraud, and breach of trust, and served three years in prison. Israel has a law that states that a person who commits a crime that involves "moral turpitude" must wait seven years after the completion of their prison sentence before they can run for public office. Deri now wants the court to wave the seven-year cooling-off period so he can run for mayor of Jerusalem. What Chutzpah! A convicted thief believes he deserves the right to run for and be mayor of the capital of Israel!

A classic example of someone treating Israel as his own private concern involved Moshe Dayan. When he was defense minister, Dayan would declare an archaeological site a closed military area and dig for its archaeological

treasures. He then placed what he uncovered his own private collection. After his death, his wife sold the archaeological items *back* to the State of Israel for over a million dollars. Dyan got away with it, because the public treated him as a military hero, someone special.

Nonetheless, all of the above leave a bad taste in the public's mouth. Does it build confidence in the proper running of our democracy? What does it say about the kinds of men who we have running for office, or occupying sensitive political positions? Israel is faced with serious and dangerous problems regarding our existence. And we must have total trust in the women and men who make the decisions affecting our lives and those of our children and grandchildren. Our politicians are the ones who make the decisions as to whether we go to war. If we have no confidence in them and if we believe that they act only for their own selfish interests, would we allow them to send our sons into battle? Democracy cannot exist if there is no trust between the rulers and the ruled.

Another serious problem affecting our democracy, with some labeling it a cancer that is eating away at Israel, is our 40-year occupation of the territories that began after the Six-Day War in 1967. Regardless of one's political or religious position, this is a situation that can destroy Israel as a democracy.

All the justifications for continuing to build settlements and rule over another people -- that the area is labeled a "disputed territory;" that it is the birthright of the Jewish people promised by God; that it is the ancient home of the patriarchs and the historic kingdom of Solomon; and that a Palestinian state would become a terrorist enclave and pose a mortal threat to Israel – ignores what the occupation has done to us, individually, and as a nation.

History has shown that there is no such thing as a benign occupation. In order to exercise and maintain control over another people, harsh and sometimes brutal methods must be employed. This has a negative effect on the occupier, dulling their sensitivity to injustice and compromising their morality. The British learned this in India, the French in Algeria, and the Americans in the Philippines.

Unfortunately, Israeli governments have learned nothing from the experience of other nations, and we are paying a terrible price for this. The murder of Yitzhak Rabin and the attempt on the life of Professor Zeev Sternhell illustrate what can happen within Israel as a consequence of the occupation.

The impact of the occupation on Israel's humanity so dismayed a group of Holocaust survivors that they published a manifesto decrying Israeli society's descent into a "quagmire of violence, brutality, disrespect for human rights and contempt for human life."

The ongoing occupation and the methods we must use to perpetuate it, degrades and humiliates the Palestinians, as well as Israelis, and it poses a serious threat to our democracy. To paraphrase what a wise man once said: "Did Israel escape slavery in Egypt in order to enslave others?"

There are only two solutions to this problem: A Palestinian state in the territory we now occupy, or annexation of the territory into Israel. Those who reject both proposals on religious, nationalistic or messianic grounds can look forward to our having to face the reality of perpetually ruling over a population that will outnumber us. It will be worse than apartheid and will destroy our democracy.

Governmental corruption and the ongoing occupation both pose mortal threats to Israel's democracy. The question is whether a new government will take steps to solve these problems. Given our experience with past governments, I doubt if what needs to be done, will be done. But there is always the hope, and prayer, that it will.

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**BOOK REVIEW**

Christiaan Mitchell, University of Oklahoma

*"A Letter to America," by David L. Boren. Norman, Oklahoma: University of Oklahoma Press, 2008. www.oupress.com. 112 pages. $14.95*

For the benefit of those readers who for the past twenty-odd months have been living under a rock, in a cave, on Mars: 2008 has been an election year. As such, this year has seen its fair share of analysts, academics and elder statesmen offering up their sage advice to the incoming president. "A Letter to America" by David Boren, a former U.S. senator and current president of the University of Oklahoma, finds its place comfortably in this cadre of quadrennial self-help books. However, despite the arm-chair-presidenting so typical of these types of works, Boren's book does distinguish itself in some important ways.

For those looking for anything terribly original in the way of novel critiques or unique and inventive remedies, I would recommend looking elsewhere. The book reads like a fairly commonplace laundry list of problems with contemporary foreign and domestic politics in America. Likewise, the astute and earnest analyst seeking a complex and nuanced rendering of the intricate policy debates of our time hardly need bother. True to its epistolary genre, "A Letter to America" is long on rhetoric and short on argumentation. However, Boren does manage in his terse 100-page tear through American politics to evince a remarkable clarity of vision that cuts straight to the heart of the most pressing problems in American public life, which speaks well to the author's decades of experience in national government. Moreover, the distance from this scene afforded him by his long tenure as a university president—where neither his seat nor his teaching position are remotely in question—gives him the considerable freedom to not mince words and call the problems he rightly diagnoses for what they are. Reading this book is similar to talking with that aged grandfather or great-uncle in whom time and experience have eroded all sense of protecting over-fragile feelings and generated an impatience with waffling, causing them to speak truths that are all the more painful for the quickness with which they cut to the heart of the matter.

The chapter titles are self-explanatory and I will spare the reader the details of his frequently penetrating, if somewhat oft-rehearsed, arguments. Suffice it to say that Boren is firmly secure in his status as an advocate of Liberalism, both on the national and international stages. He reaffirms his place as a strong advocate for the power of international institutions and organizations, and is in no way shy about his belief in the power and beneficence of American leadership in the world and the transformative power of democracy. In addition, his take on domestic issues shows him to be well within the American Democratic mainstream, advocating strong government investment in infrastructure, education and other areas, all in the hopes of buttressing the dwindling American middle class.

If this were all there were to the book, there would be little upon which to recommend it. However, where Boren truly sets himself and this work apart are in his adamantine insistence upon the failure of the American public and its complicity in the creation of the problems that face us today. In a time when it is in high fashion to criticize the U.S., this book stands out as an example of a work that takes "We the People" to task for our own failures, which have surly been as great and disastrous as any of the insidious, if bumbling, machinations of George W. Bush or Dick Cheney. In particular, Boren frets over alarming statistics that demonstrate what we've all known but been afraid to admit or recognize: we, as a people, are losing our sense of our history and the identity that evolved from our experiences as a growing nation. In truth, the key to the book can be found in two of Boren's most astute observations: that "we as citizens are becoming incapable of protecting our rights and democratic institutions, because we do not even know our own history"; and that "one of our greatest shortcomings as Americans is our failure to be intellectually curious about what is happening to us as a people." He relates this quite brilliantly to the decline, both domestically and on the international stage, of the spirit of cooperation and pluralism upon which this nation was ostensibly founded.

It is in the breakdown of genuinely open, honest and respectful conversations with ourselves and others that Boren sees the source of our deepening national crises. Despite his stereotypically American-politician faith in the global value of democracy, he approaches it with a circumspection worthy of a first-order statesman. Simultaneously invoking John Stuart Mill and Fareed Zakaria, Boren points out that "democracy does not automatically lead to enhanced freedom," and suggests that the best way to encourage a freer world is to live our lives with the civic virtue and responsibility required of a well-functioning democracy. His central problematic throughout the book is the transition the American people now face as we move from simply the lead horse of the Light Brigade, to a *leader* in the world. And Boren would be quick to remind us that being out in front is not the same thing as being a leader.

All told, this book offers little of interest to the policy wonk looking for some new and brilliant niche into which he or she may insinuate themselves. But as the title suggests, the intended audience is neither the wonk nor the careful and critical analyst. Rather, it is a clarion call to the people of the United States of America to wake up to our own shortcomings and take responsibility for our place in the world. Far from offering fodder for graduate dissertations, or lengthy governmental reports, what this book offers is a much-needed picture of the American mind that throws into light the deficiencies which have run rampant and led us to be disenfranchised, distrustful and distrusted. Boren's position high atop the ivory tower affords him an excellent vantage point from which to snipe at the gilded Laputa of America's government whose moorings to the American people are being frayed daily by neglect and active malfeasance. And for *that* reason, this author would recommend its careful study.

**BOOK REVIEW**
Henry Kwong

*"The Powers to Lead," by Joseph S. Nye, Jr. New York: Oxford University Press, 2008. 240 pages, $21.95*

Like many Americans, Joseph S. Nye, a well-known scholar who coined the term "soft power," is dissatisfied with the current state of national leadership. This is reflected in the criticisms of George W. Bush's presidency that he sprinkles throughout his latest book, "The Powers to Lead." In adhering to his conservative vision, Bush's stubbornness has inhibited his ability to learn, thus displaying inadequate emotional intelligence. For someone with a Harvard MBA, it is difficult to see why Bush has had difficulty organizing and managing "his inner circle of advisors to ensure an accurate flow of information and influence." (p. 77) Bush's rhetoric on waging war against evil shows no understanding of the message's cultural context, perhaps appropriate in one setting but counterproductive in front of a different audience.

In "The Powers to Lead," Nye examines how individuals can apply "hard" and "soft" power to become successful leaders. No management guru, self-help cheerleader or the next flavor-of-the-month motivational speaker, Nye's discussion of power and leadership is informed by his background as a leading academic and distinguished civil servant.

Nye defines a leader as someone who helps a group create and achieve shared goals. A leader has the power to orient and mobilize others for a purpose or objective. Despite numerous studies, leadership scholarship has not identified a clear profile of a leader. Nye concedes that leadership, therefore, is an art, not a science, but it can still be studied and analyzed. Measured by the yardsticks in their fields, many leaders will not be successful.

According to Nye, power is characterized as either "hard" or "soft." Hard power is typified by commands, force and coercion. It requires both organizational and political skills. On the other hand, the hallmarks of soft power include emotional intelligence, communication and vision. Soft power is manifested through persuasiveness, attraction, charisma, and participation. For Nye, "the secret to success lies in the ability of leaders to combine hard and soft power resources in appropriate contexts." (p. 67) An effective leader is able to demonstrate hard and soft power, combining the two into what he terms smart power. In a globalized world where the internet provides more accessible information and more avenues for individuals to participate and express opinions, smart power is more important than ever before.

For Nye, leadership styles take two forms: "transformational" or "transactional." Concerned with raising the conscience level of followers, transformational leadership is characterized by an appeal to transcend self-interest, to empower and to pursue a higher moral ground. As the embodiment of

soft power and transformational leadership, Mahatma Gandhi would be held in high regard in Nye's conception of leadership. Gandhi is one of a handful of exceptional persons who led not by title or formal authority, but by overwhelming moral stature.

In contrast, transactional leadership appeals to self-interest and base emotions. Leaders of this style motivate followers to achieve goals and objectives by utilizing rewards and threats. Transactional leaders prefer the status quo and operate best in a stable environment.

Effective leaders also need to be able to comprehend their environment. In football, a quarterback will be called upon to read the defenses coming at him and adjust accordingly. In business and the public sector, managers and policymakers must constantly adapt to rapidly changing conditions in order to survive and thrive. Nye describes this ability as "contextual intelligence." Leaders' skills will fit some situations better than others. Individuals may be more ideally suited to demonstrate effective leadership when the environmental conditions change. Truly capable leaders can be successful in different contexts. In another time, contextual intelligence would be interpreted as simply good judgment. Good leadership calls for good judgment.

If there is any criticism of the book, it is Nye's failure to explore in greater detail the role-played by other relevant qualities in the powers to lead. At appropriate times, people like to see their leaders demonstrate down-to-earth qualities like humility, self-deprecation, unpretentiousness and humor. Not only do we want leaders to be confident and decisive, we also want leaders who are human, not abstract or arrogant beings raised on a pedestal.

Given the events of the past eight years, the country is literally screaming for effective leadership. A healthy democracy requires good leadership. In our democracy, a new U.S. president will take office in a few months. With the country facing extremely difficult issues at home and abroad, it is abundantly clear that decisive leadership, informed by smart power, is vitally needed at this time. As we have seen recently, however, the freedom to vote does not guarantee good leaders.

Nye's insightful book will not be the last word on the ingredients that make a good leader. There will no doubt be more books on leadership coming down the non-fiction pipeline to add to the already voluminous literature that exists on the subject. Nevertheless, Nye's book motivated this reviewer to watch again two of his favorite movies of all time, "Patton" and "Gandhi"—the former showcasing hard power and the latter depicting soft power. A professor teaching leadership should definitely add Nye's book to the mandatory reading list.

**BOOK REVIEW**
Justyna Surowiec

*Memo to the President Elect: How We Can Restore America's Reputation and Leadership, by Madeleine Albright, New York: HarperCollins Publishers, January 2008, 336 pages, $26.95.*

America has seen brighter days, much brighter days. At a time when around 70% of the nation disagrees with the administration of President George W. Bush, as oil prices soar and wallets feel much less heavy, Americans are looking—no, pleading—for a solution. Currently, all eyes are on President-elect Barack Obama, in anticipation of whether he can deliver the much-needed changes he promised and restore America to the hegemon status that it once enjoyed. Yet, can Americans have faith in a new administration when the one that has ruled the U.S. for the past eight years has committed every wrong possible on the political arena, from a poorly executed war in the Middle East to the emergence of a recession? In her January 2008 book, "Memo to the President Elect: How We Can Restore America's Reputation and Leadership," former Secretary of State Madeleine Albright, in an exuberant burst of optimism, reveals that we need not fear because she has the solutions that will aid the next administration in righting the wrongs of the Bush administration.

Albright begins by asserting that the most important tools to a president are diplomacy and psychology. She argues that one needs diplomacy in order to form lasting relations not only with our allies, but with our adversaries as well. Albright's central theme in the book is the need to change America's reputation abroad, and she suggests a variety of ways to achieve this. One of way is to make friends (lots of them) by tailoring speeches to impact both domestic and foreign audiences, because the actions we take within the country will ultimately have an impact on the rest of the world. Also, since we are American, the rest of the world is always watching us. In addition, Albright believes that the next president should seek to win over other nations by aiding them financially, so that they may be able to help us when the time comes.

Yet diplomacy is not only about saying the right words in the right manner or meeting with the right kinds of leaders. It is also about the kind of person the future president will be. Albright determines that the president will need be wise like Roosevelt, strong like Kennedy and opinionated like Reagan. With a wholesome mix of wittiness and tongue-in-cheek humor, Albright paints a picture of future prosperity and jubilation, as long as the man we choose can abide by the foundation she has laid out in her book, as well as stick to his morals.

Albright also suggests that the next American leader should have something that seems to have wandered to a far away domain in these past eight years: common sense. Hence, Albright's framework for success rests on a

thorough analysis of wrongs committed not just by the recent Bush administration, but by a myriad of others, including Kennedy, Lincoln and Johnson. Using this framework, Albright believes the next president can then tackle the rest of the world.

Albright then goes on to determine a plan of attack (no pun intended) for dealing with the Middle East, Asia, Russia and South Asia, as well as Iraq. This plan again highlights the use of soft power, such as diplomacy, sanctions and negotiations, to achieve a defined and set goal, something that has been missing during the Bush administration. In regards to the Middle East, Albright draws a plan that involves the U.S. not siding with any particular country or faction, but rather working with all individuals to reach an agreement. This means reversing Vice President Richard Cheney's protocols and actually interacting with the Palestinians and Hamas, rather than solely standing behind Israel. When working with these age-old conflicts, the next president should not, and cannot, expect an absolute victory, but rather small success and achievements—such as children being able to play on the streets without violence (p. 227).

When it comes to Iraq, Albright pessimistically (and maybe accurately) states that we really do not have any way to fix the mess we have spent two presidential terms creating. The only thing we can do now is "limit the damage" and create a segregated Iraq, or a number of "fiefdoms" as Albright calls them, where the Shiites live in the south, while the Kurds stay in the north and Sunnis fall somewhere "in between" (pp. 231-32). Yet this solution sounds like the beginning of a myriad of new problems that will involve the groups fighting amongst each other for different parts of Iraq as well as larger pieces of land. These groups may later begin to consider self-determination, since they are only joined together under the Iraqi flag (which is already banned by the Kurds) and a false pretense of being united Iraqis. This could cause further problems with the current government of Iraq, which may not allow self-determination—a phenomenon that will shrink the size of Iraq and its population, and possibly take away oil wealth from its already feeble economy.

Albright believes that with the right type and amount of diplomacy, restoring the image of America, and becoming the friendly face of the Middle East, the future president will be able to see a "federalized Iraq…Iran, free from UN sanctions, has reiterated its pledge not to build nuclear weapons…the Palestinians have a national unity government…negotiations with a more hopeful Israel are ongoing" (pp. 284-85). Her unprecedented idealism can be either touching or slightly delusional. How is one president at all capable of impacting the Middle East so significantly (whether he has tons of allies or none), when America has to rework its identity? We need to strengthen a crumbling economy, create jobs for the 6% of the nation that are unemployed, make healthcare more accessible, work on creating more sustainable energy sources, curb illegal immigration, among many other problems. Eight years hardly seems enough to fix the problems on our plate, let alone those of the rest of the world.

This brings to the forefront Albright's focus on restoring our leadership in the eyes of the world, by helping others and paving the way for the world to follow. Yet, Americans need to be witness to this transformation in leadership. This cannot be done when everyone except Americans are being helped. Albright, by giving advice on the world, has forgotten to advise the next president on how to address the problems in his own backyard. No amount of diplomacy, sending aid to other countries who may help us when the time comes, or building formidable allies will help the problems spilling over the sides of America's melting pot.

Alongside the copious amounts of idealism in "Memo to the President Elect," Albright gives an experienced, not necessarily fresh, perspective on how to make wrongs right. She does this with the grandeur of a woman who has accomplished much through learning as well as making her own mistakes. She is confident about the potential of America and its future, and optimistic that we will survive. Considering the world we have lived in for the past eight years, this optimism is a fresh breath of air. It remains to be seen how the Obama administration will approach these challenges.